Bengal Secretariat Library Copy.
To be returned when done with.

XIII A
20

REPORT

ON

CIVIL JUSTICE

IN THE

HYDERABAD ASSIGNED DISTRICTS

FOR

1889.

By Colonel K. J. L. MACKENZIE,
JUDICIAL COMMISSIONER, HYDERABAD ASSIGNED DISTRICTS.

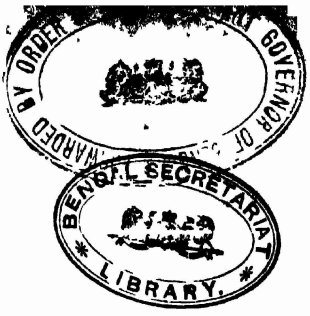
Hyderabad:
PRINTED AT THE RESIDENCY GOVERNMENT PRESS,
1890.

Price 1 Rupee per copy.

20

CONTENTS.

		Page.
INTRODUCTORY.		
Para. 2.	Tribunals	1
	PART I.—ORIGINAL COURTS.	
	A.—Institution of suits.	
Para. 3.	Extent and character of litigation	2
„ 6.	Causes of increase and decrease	3
	B.—Classification of suits.	
„ 7.	Classification of suits	5
„ 8.	Suits for immoveable property	5
	C.—Value and costs of suits.	
„ 10.	Value and costs of suits	6
	D.—Disposal of original suits.	
„ 14.	Suits for disposal	7
	Number disposed of	7
„ 15.	Uncontested cases	8
	Cases decided *ex parte*	8
„ 16.	Pending file	8
„ 17.	Average duration	8
	E.—Original Miscellaneous Cases.	
„ 19.	Details of disposal	9
	F.—Agency for disposal of suits.	
„ 23.	Distribution of work	10
	G.—Execution of Decrees.	
„ 24.	Execution proceedings in 1888 and 1889 compared	10
„ 26.	Realizations	11
	Arrest and imprisonment	11
„ 27.	Court and process fees	11
„ 28.	Bankruptcy	11
	H.—Witnesses.	
„ 30.	Attendance of witnesses	11
	PART II.—SMALL CAUSE COURTS.	
„ 32.	Work done by Small Cause Courts	11
	PART III.—APPELLATE COURTS.	
„ 33.	Number of appeals for disposal	12
„ 34.	Institutions of appeals	12
„ 35.	Appeals decided	12
„ 36.	Appeals confirmed	13
„ 37.	Appeals pending in Judicial Commissioner's Court	13
„ 38.	Average duration	14
„ 39.	Miscellaneous appeals	14
	PART IV.—GENERAL.	
Para. 40.	Inspection of civil cases	14
„ 42.	Local bar	15
„ 44.	Notice of officers	16
APPENDICES.		



No. 804 of 1890.

From

Colonel K. J. L. MACKENZIE,

Judicial Commissioner, Hyderabad Assigned Districts,

To

The SECRETARY for BERAR to the RESIDENT,

Hyderabad.

Dated Amraoti, 24*th March* 1890.

Sir,

I have the honor to submit the prescribed returns and district reports on the administration of civil justice for the year 1889.

I regret that I am slightly behind the date fixed for the submission of my report, due partly to delay in getting the Basim and Buldana returns corrected, but mainly to short-handedness from sickness in my own office—the prevailing epidemic, which has been rather severe.

Tribunals.

2. The courts open during 1889 as compared with the year previous are as below:—

Officers.	1889.	1888.	
Judicial Commissioner, Hyderabad Assigned Districts*	1	1	
Civil and Sessions Judge, Hyderabad Assigned Districts...	1	...	
Deputy Commissioners	6	6	
Civil Judges	5	2	Special Assistants.†
Assistant Commissioners		3	
Extra Assistant Commissioners ...	10	13	
Attachés	1	3	
Tahsildars	2	4	
Naib Tahsildars	4	...	
Small Cause Court Judges	4	3	
Total ...	34	35	

* Provincial High Court from 1st July 1889.

† Term Special Assistant ended on 1st July, when they were absorbed into the General List.

Colonel Mackenzie was Judicial Commissioner and Sessions Judge up to the 1st July 1889. On the introduction of the Hyderabad Assigned Districts Courts Law, he became Provincial High Court, and Colonel Bullock, absent on furlough, was nominated Civil and Sessions Judge. Mr. Obbard has since officiated for Colonel Bullock.

Part I.—Original Courts.

A.—*Institution of Suits.*

3. The extent and character of litigation dealt with by the courts during the year under report and in comparison with previous years will be found completely illustrated in the two tables, A and B, annexed :—

Extent and character of litigation.

Table A.—*Shows number of suits instituted in each district from 1885 to 1889.*

Years.	Akola.				Buldana.	Basim	Amraoti				Ellich. pur.	Wun.	Grand total.
	District	Akola Small Cause Court.	Khamgaon Small Cause Court.	Total.			District	Amraoti Small Cause Court.	Bednera Small Cause Court	Total			
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1885 ...	3,867	1,816	848	6,031	2,679	2,543	3,697	2,406		6,103	2,948	2,471	22,775
1886 ...	4,266	1,918	983	7,107	2,911	2,602	3,303	4,852	..	8,155	3,129	2,006	25,970
1887 ...	3,965	1,871	997	6,833	3,055	2,513	2,762	3,554	...	6,316	3,490	2,284	24,491
1888 ...	3,607	1,727	947	6,281	4,933	2,751	3,795	3,243	...	7,038	3,258	2,711	26,974
1889 ...	4,197	1,948	697	6,842	4,034	2,958	3,090	2,908	343	6,341	3,591	2,010	25,776
Grand total ...	19,402	9,280	4,472	33,154	17,614	13,367	16,647	16,963	343	33,953	16,416	11,482	1,25,986
Average ...	3880·4	1,856	894·4	6630·8	3522·8	2673·4	3329·4	3392·6	68·6	6790·6	3283·2	2296·4	25197·2

Table B.

Locality of courts.	No. of suits instituted. 1888.	1889.	Increase.	Decrease	Percentage.	Remarks showing number of courts at head quarters.
Akola.						
Akola Head-quarter Courts ...	403	148	...	255	63·2	4 courts.
Small Cause Court, Akola ...	1,754	2,327	573	...	32·6	
Total ...	2,157	2,475	318	..	14·7	
S. C. Court, Khamgaon .	1,180	926	..	204	18·05	
Telhara Court	2,994	3,073	79	...	2·6	
Naibs' Courts. Jalgaon	...	105	...	...	...	
Akot . ..		158	...	..	...	
Balapur	...	105		...	...	
Grand total ...	6,281	6,842	561	....	8·9	
Percentage on provincial litigation.	23·2	26·5	...		.	
Buldana.						
Buldana Head-quarter Courts	1,376	1,751	375	...	27·2	3 courts.
Malkapur Court	1,151	566	...	585	50·8	
Mehkar Court	2,408	1,717	...	691	28·6	
Total . .	4,935	4,034	...	901	18·2	
Percentage on provincial litigation.	18·2	15·6	...	...	...	
Basim.						
Basim Head-quarter Courts ...	2,132	1,921	...	211	9·8	4 courts.
Tahsildar, Mangrul ..	283	293	10	...	3·5	
Tahsildar, Pusad ...	336	539	203	...	60·4	
Naib Tahsildar, Mangrul ..	.	205	...	...	...	
Total ..	2,751	2,958	207	...	7 5	
Percentage on provincial litigation.	10·1	11·4	...	...	...	

TABLE B—*(continued.)*

	Locality of courts	No. of suits instituted. 1888.	1889	Increase.	Decrease.	Percentage	Remarks showing No. of courts at head-quarters.
Amraoti.	Amraoti Head-quarter Courts..	656	856	200	...	30·4	5 courts.
	Small Cause Court, Amraoti ...	3,243	2,908	...	335	10·3	
	Total ...	3,899	3,764	...	135	3·	
	Badnera Court	1,592	1,239	...	353	22·1	
	Morsi Court	1,547	1,338	..	209	13·5	
	Grand total ..	7,038	6,341	..	697	9·9	
	Percentage on provincial litigation.	26·09	24·6	...	...	..	
Ellichpur.	Ellichpur Head-quarter Courts.	1,706	1,925	219	..	12 8	2 courts.
	Daryapur Court ..	1,489	1,601	112	..	7·4	
	Tahsildar, Melghat ...	63	65	2	...	3·1	
	Total ...	3,258	3,591	333	...	10·2	
	Percentage on provincial litigation.	12·07	13·9		...	...	
Wun.	Yeotmal Head-quarter Courts..	2,051	1,505	...	546	26·6	3 courts.
	Kolapur Court ..	...	138	...	...	...	
	Tahsildar, Kelapur ..	251	34	...	217	86·4	
	Tahsildar, Wun ...	409	313	...	96	23·4	
	Total ..	2,711	2,010	...	701	25·8	
	Percentage on provincial litigation.	10·05	7·7	...	...	...	
	Grand total ...	26,974	25,776	..	1,198	4·4	

4. Table A shows the number of suits instituted in each district for, including the year under report, the last five years, while B in comparison details the *same* statistics for the year under report and the previous one only, but for *each place*, in each district, where one or more civil courts exist. This last table, not hitherto given, will, I think, be of interest to Deputy Commissioners and their subordinate judges, and, if maintained in future years, will help district officers to follow the tide of litigation as it ebbs and flows in their respective districts.

5. The figures in these tables show—

1*st*.—That during the year under report Akola has changed places with Amraoti and now heads the list in weight of litigation, while the other four districts maintain their relative positions in the following order.—Buldana, Ellichpur, Basim, and Wun.

2*nd*.—That while there has been a rise of litigation to the extent of 10·2, 8·9, and 7·5 per cent. in the districts of Ellichpur, Akola, and Basim respectively, there has been a fall in the other three, *viz*., Amraoti, Buldana, and Wun of 9·9, 18·3, and 25·9 per cent. respectively, resulting on the whole (the *minus* quantities exceeding the *plus*) in a diminution of 1,198 cases.

Causes of increase and decrease.

6. It is difficult accurately to get always at all the causes that affect fluctuations in litigation, and while the highest rise, that of 10·2 per cent. in Ellichpur, is attributed by the

Deputy Commissioner (Mr. Nicholetts) to a good season following a bad one (*vide* paragraph 3 of the district report), the greatest fall, that of 25·6 per cent. in Wun, is by the Deputy Commissioner (Colonel Rennick) put down in large measure (*vide* paragraph 10 of his report) to exactly the same reason. Both obviously cannot be right. And though there may during a fair season be exceptional reasons at work in particular localities forcing litigation up, the effect on the whole of a fair season usually is to keep people out of court. But for the fact that certain courts in Amraoti and Buldana were unavoidably closed owing to a paucity of officers, it is certain that those districts also would have shown a slight rise, not a decline. Wun did not particularly suffer in that way, and therefore the abnormal fall in it *alone* out of the six districts is, I think, to be explained, not by the reasons given, but by a peculiarity in procedure on the part of the Deputy Commissioner lately brought to notice, who took upon himself, after July, to require that *all* suits should be instituted on his file, whence he distributed them to other courts *with considerable delay*, which tended, of course, to check work coming in. For, if people cannot get their work done with reasonable quickness, they naturally do not bring it except when the provisions of the Limitation Act force them to. The Deputy Commissioner's procedure in this respect is under enquiry.

The rise where it is marked is, I believe, due to the courts in those districts being more regularly at work and to some of them being presided over by officers who to capacity added despatch in the disposal of their business. This element of personal character in the presiding judge has a great deal to do with the rise and fall of work and with the fluctuation in the outturn of work of courts. Colonel Rennick thinks (*vide* his paragraph 10) that all civil courts are "gambling booths," and as such to be discouraged; but his ideas on this head are not quite those of the Government or of the age. Wun too is a district that is daily opening out and getting populated, and the tendency of litigation there for the present ought to be, in the absence of abnormal causes, to increase, if anything, not certainly to decline by 25 per cent. Part of the decline in Buldana is attributed by its Deputy Commissioner—and I think correctly—to the Mehkar court having now settled to about its average; in the year previous, being a new court, it was somewhat rushed. Notwithstanding the declines shown in three districts, the total of institutions for the year under report (25,776) is considerably over the average (25,197) of the five years 1885 to 1889 inclusive (*vide* Table A).

This year I omit the table showing *institutions by classes of courts*, for we want to know what courts *did*, not what was presented to them, and this is shown later on.

B.—*Classification of Suits.*

7. In exemplification of this portion of the report I submit three tables—C, D, and E.

Table C contrasts for year under report and previous two years the distribution of suits under the heads of suits for money or moveable property and title and other suits with the percentage of each on the total litigation.

TABLE C.

Description of suits	1887.		1888		1889.	
	No. of suits	Percentage of total suits.	No. of suits.	Percentage of total suits.	No. of suits.	Percentage of total suits.
1. Suits for money or moveables.	22,275	91	24,423	90·5	22,816	88·5
2. Title and other suits ...	2,216	9	2,551	9·5	2,960	11·5
Total ..	24,491	100	26,974	100	25,776	100

Classification of suits.

The feature of this table is that title and other suits have increased by two per cent., the greatest increase (*vide* imperial statement VII) coming in the Akola District, due, as the Deputy Commissioner puts it, to land being increasingly sought as the best security for loans.

Table D specifies in detail for the year under report, in comparison with the year previous, the suits for money and moveables shown under class I, table C:—

TABLE D.

Description of suits.	1888.		1889.		Increase or decrease in percentage.
	No. of suits.	Percentage of total suits.	No. of suits.	Percentage of total suits.	
Contracts in writing	15,414	57·1	14,903	57·8	+ ·7
Contracts not in writing	3,068	11·4	2,791	10·8	— ·6
On account stated	3,957	14·7	3,499	13·6	—1·1
Money had and received	92	·3	114	·4	+ ·1
Goods sold	399	1·5	350	1·4	— ·1
Wages, work, and materials	166	·6	164	·6	...
Breach of contract not mentioned above...	267	·9	212	·8	— ·1
Rent not falling under Rent Law ...	228	·8	171	·7	— ·1
Moveable property or value thereof ..	294	1·1	334	1·3	+ ·2
Damages	538	2·	278	1·1	— ·9
Total ...	24,423	90·5	22,816	88·5	—2·

The slight fluctuations appear to call for no remark.

Table E below of three will be of most interest to district officers :—

TABLE E.

Classified details of the principal descriptions of suits in table C by districts.

Districts.	Total suits instituted.	For money due.						Moveable property or value thereof.		Damages.		Immoveable property.	
		Contracts in writing.		Contracts not in writing.		Goods sold.							
		No.	Percentage of suits instituted.	No.	Percentage of suits instituted.	No.	Percentage of suits instituted.	No.	Percentage of suits instituted.	No.	Percentage of suits instituted.	No.	Percentage of suit instituted.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Basim ..	2,958	1,529	51·7	547	18·5	45	1·5	45	1·5	81	2·3	260	8·8
Buldana ..	4,034	2,618	64·9	386	9·6	..	...	11	·3	...	...	351	8·7
Amraoti ..	6,341	3,273	51·6	497	7·8	53	·8	139	2·2	110	1·7	487	7·7
Wun ..	2,010	1,158	57·6	251	12·4	72	3·6	35	1·7	5	·2	130	6·5
Ellichpur ...	3,591	2,283	63·6	532	14·8	16	·4	57	1·6	1	·03	213	5·9
Akola ..	6,842	4,042	59·1	578	8·4	164	2·4	98	1·4	25	·4	319	4·7
Total ...	25,776	14·903	57·8	2,791	10·8	350	1·4	385	1·5	222	·9	1,760	6·8

Suits for immoveable property.

8. The figures of interest here are those in columns 13 and 14, showing the total of suits for immoveable property and the percentage that in each district such bear to the total of district litigation. Basim, Buldana, and Amraoti head the list in the order named, and in this respect their litigation is considerably higher than Wun, Ellichpur, and Akola, the districts next in order. Of the total 1,760 suits under column 13, it will be seen by a reference to Judicial Statement VII, column 20, hat 1,292 refer to survey numbers, an increase of 343 suits or 36 per cent. over the

previous year. Out of this total 1,292, Amraoti largely heads the list (394), followed by Buldana (266), Akola (212), Ellichpur (148), Basim (129), and Wun (113).

9. These figures, taken with the detail of suits (559) referring to real property (column 23 of Judicial Statement VII), in which 378 suits for the year under report, against 363 for year previous, are suits to declare or establish rights in survey numbers, show that, as compared with the other districts, for some reason or other land rights in Amraoti were originally not as carefully settled as in the other districts. Amraoti out of these 378 suits claims 263, while out of the previous year's total (363) it claimed 242 suits.

C.—*Value and Costs of Suits.*

Value and cost of suits.

10. In illustration of this part of the report I append three tables,—G, H, and I.

Table G grades suits in value from Rs. 10 upwards and shows the percentage of each grade to total litigation and the average of value of suits in the grade.

TABLE G.

Grades of value.		No. of suits instituted.	Percentage of total suits.	Average value.
Not exceeding Rs. 10		1,694	6·5	7·8
Do. „ 50		11,581	45·	29·1
Do. „ 100		5,399	20·9	72·7
Do. „ 500		5,525	21·4	213·2
Do. „ 1,000		553	2·1	690·2
Do. „ 5,000		289	1·1	1916·5
Do. „ 10,000		11	·4	6417·
Exceeding „ 10,000		4	·01	32103·2
No. of suits the value of which cannot be estimated ..		720	2·8	...
Total ...	1889 ...	25,776	100	110·9
	1888 ...	26,974	100	110·3

11. Table H contrasts the litigation in these respects between the year under report and the previous year, marking the increase and decrease with percentages :—

TABLE H.

Grades of value.	No. of suits instituted in 1888.	No. of suits instituted in 1889.	Increase or decrease.	Percentage.
Not exceeding Rs. 10	1,860	1,694	—166	— 8·9
Do. „ 50	12,397	11,581	—816	— 6·6
Do. „ 100	5,784	5,399	—385	— 6·7
Do. „ 500	5,697	5,525	—172	— 3·
Do. „ 1,000	532	553	+ 21	+ 3·9
Do. „ 5,000	212	289	+ 77	+ 36·3
Do. „ 10,000	7	11	+ 4	+ 57·1
Exceeding „ 10,000 ...	6	4	— 2	— 33·3
No. of suits the value of which cannot be estimated	479	720	+241	+ 50·3
Total ...	26,974	25,776	— 1,198	— 4·4

12. While table I shows how these grades of suits came to fall by districts :—

TABLE I.

District.	Not exceeding Rs. 10.	Not exceeding Rs 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Exceeding Rs. 500.	Value cannot be estimated.
Akola ...	6·6	42·9	21·7	23 3	3·7	1·8
Buldana ...	7·3	46 2	21·9	20·8	2·5	1·3
Basim ...	7·2	57·	17·	16·2	1·5	1·1
Amraoti ...	5·6	43·1	21·1	21·7	4·6	3·9
Ellichpur ..	6·6	43·9	21·3	22·2	3·4	2·6
Wun ...	6·6	39·2	21·5	21·8	2·3	8·6

The figures in these tables do not appear to call for particular comment.

13. Table K completes the information necessary under this section of the report :—

TABLE K.

Grades of value.	No of suits disposed of.	Aggregate value of suits.	Aggregate cost of suits.	Average value of suits.	Average cost of suits.	Percentage of costs to value.
1	2	3	4	5	6	7
Not exceeding Rs. 10 ...	1,740	12,407 3 2	4,685 15 10	7 2 1	2 11 1	37 12 3
Do. 50 ...	11,357	3,25,585 0 10	60,001 12 6	28 10 8	5 4 6	18 6 10
Do. 100 ...	5,107	3,64,630 5 4	53,394 10 0	71 6 4	10 7 3	14 10 4
Do. 500 ...	5,236	10,86,263 2 8	1,33,304 6 4	207 7 4	25 7 4	11 4 4
Do. 1,000 ..	486	3,23,694 14 5	37,707 14 3	666 0 7	77 9 5	11 10 4
Do. 5,000 ...	241	4,31,218 9 1	48,734 6 1	1,789 4 7	202 3 6	11 4 10
Do. 10,000 ..	5	32,085 2 7	3,157 10 3	6,417 0 6	631 8 5	9 13 5
Exceeding 10,000 ...	2	64,206 5 9	5,844 9 0	32,103 2 10	2922 4 6	9 1 8
Number of suits the value of which cannot be estimated	512	...	10,165 12 3	...	19 13 8	...
Total ...	24,686	26,40,090 11 10	3,56,997 0 6	106 15 1	14 7 4	13 9 1

D.—*Disposal of Original Suits.*

Suits for disposal.

14. Including 1,626 pending suits from 1888 and re-admitted cases 661, the total number of suits for disposal during 1889, the year under report, was 28,063, showing, as compared with the year previous, a decrease of 4·5 per cent.

No. disposed of.

Of this total number (28,063) 24,686, or 88 per cent., were disposed of during the year as is illustrated below by table M :—

TABLE M.

Results.	No. of suits.	Proportion per cent. in 1889.	Corresponding proportion in			
			1888.	1887.	1886.	1885.
Plaints rejected or returned	110	0·5	0·3	0·3	0·2	0·4
(a) Disposed of without contest—						
Dismissed for default	1,882	7·6	6·2	7·1	7·3	6·6
Withdrawn with leave	352	1·4	1·4	1·7	1·3	1·1
Compromised	3,456	14·	12·9	12·7	14·	13·5
Decreed on confession	7,292	29·5	32·4	30·6	34·6	33·9
Decreed *ex parte*	5,296	21·5	20·7	19·2	17·1	15·6
Dismissed *ex parte*	207	0·8	0·9	1·	·7	·7
Total uncontested ..	18,595	75·3	74·8	72·6	75·2	71·8
(b) Contested and judgment given for—						
Plaintiff in whole or in part	4,816	19·5	19·6	21·5	19·9	23·1
Defendant in whole	1,174	4·8	5·2	5·6	4·8	4·9
Total contested ...	5,990	24·3	24·8	27·1	24·7	28·
By arbitration	101	0·4	0·4	0·3	0·1	0·2
Grand total ...	24,686	100	100	100	100	100

Uncontested cases.

15. The proportion under uncontested has very slightly risen, but the fluctuations are such as to call for no remark. Arbitration, as before, shows no sign of coming into favor.

Cases decided *ex parte*.

Regarding cases decided *ex parte* I am satisfied, in view of the Resident's remarks on the last and previous report, that the high percentage is due to causes within control of the parties themselves, and not to defect in the service of summonses. If they do not choose to come and risk matters going against them by default, that is their look-out, and the courts cannot help it.

Pending file.

16. The number of cases pending at the close of the year was 3,377 cases, of which 840 were over three months, Amraoti, figuring worst.

Average duration.

17. The average duration of contested cases was 57·8 days and uncontested 34·2 days, against 59·2 and 31·7 respectively in the year previous. Here again Amraoti's record is the worst for contested cases, being 88·8 days against 80·4 in 1888. The Deputy Commissioner explains this, and truly, thus :—

"There has been an increase in the average duration, which I regret, but it is unavoidable so long as the Judges are frequently changed. New Judges are appointed without investment of necessary powers for some days, and the courts were left without Judges.

"The same cause is responsible for the heavy pending file."

18. The district returns of average of duration under this head is thus :—

	1889.	
	Contested.	Uncontested.
Akola	41·7	26·4
Amraoti	88·8	46·3
Buldana	40·8	16·4
Ellichpur	58·7	39·7
Basim	53·9	34 3
Wun	77·2	47·8

E.—*Original Miscellaneous Cases.*

19. Imperial Statement IX, Part II, shows the result of trial of miscellaneous cases in the different courts of the Hyderabad Assigned Districts, and its information may be tabulated thus:—

Details of disposal.

TABLE N.

Disposed of.	1889.		1888.	
	No.	Percentage	No.	Percentage
Without trial	810	27·7	821	24·
Without contest	1,122	38·4	1,249	36·6
With contest and judgment given for plaintiff ...	609	20·9	777	22·8
With contest and judgment given for defendant ...	378	13·	567	16·6
Total ...	2,919	100	3,414	100

20. The number of miscellaneous cases decreased to 2,919, which is 495 less than the number shown for 1888. The decrease only follows the general decline in litigation.

The cases in question are made up of applications of a miscellaneous nature, such as applications for copies and for review of judgment, &c. Of the without trial cases, nearly half were applications returned or rejected.

The other figures do not call for any particular remark.

21. The number of applications which remained pending at the close of 1889 was 472, or 16·1 per cent. of the number for disposal.

The average duration of contested cases has risen from 46·1 to 59·1 days. The duration was mainly affected by the absence on leave since July last of the presiding officer of the Malkapur Court, and to no officer having been appointed to succeed him till the end of the year.

F.—*Agency for Disposal of Suits.*

22. Table O subjoined gives the information required better and more fully in a form different from that last year employed where the now obsolete term Special Assistant Commissioner comes in. The information being tabulated by districts, instead of being lumped up as before, will be of greater interest to officers.

TABLE O.

Total No. of Judges	4	10	4	6	27	4	
District.	Small Cause Courts.	Sub-Judges exercising Small Cause Court powers.	Naib Tahsildars.	Tahsildars.	Extra Assistant Commissioners and Assistant Commissioners.	Deputy Commissioners.	Total.
1	2	3	4	5	6	7	8
Akola	2,701	2,117	344	...	1,388	...	6,550
Buldana	...	1,224	...	...	2,848	4	4,076
Basim	...	61	...	986	1,888	1	2,936
Amraoti	3,063	1,045	...	...	1,798	...	5,906
Ellichpur	...	1,246	...	65	2,029	32	3,372
Wun	...	...	...	375	1,470	1	1,846
Total ... 1889 ...	5,764	5,693	344	1,426	11,421	38	24,686
1888 ...	6,029	2,603	...	1,201	17,919	15	27,767
Percentage ... 1889 ...	23·3	23·1	1·4	5·8	46·3	·1	100
1888 ...	21·7	9·4	...	4·3	64·5	·1	100

Distribution of business.

23. The Small Cause Courts have done more and the Extra Assistant and Assistant Commissioners less, mainly because of the distribution under the new Courts Law, which came into operation on the 1st of July last, and so precludes exact comparison with what transpired in the year previous. Some of the Deputy Commissioners where there was a paucity of officers had to take work which ordinarily would not have gone to them, and this accounts for the slight increase under work done by them.

G.—*Execution of Decrees.*

24. The execution work of the various Civil Courts in the Hyderabad Assigned Districts is shown in Imperial Statement No. XI.

The disposals (25,435) amounted to 82·4 per cent. of the applications (30,979) for execution. The result of disposals in percentages during the last two years is shown below.

Execution proceedings in 1888 and 1889 compared.

The following two tables, P and P-I, fully illustrate our working in this respect, Table P-I detailing the work by districts :—

TABLE P.

	1889. Per cent.	1888. Per cent.
Completely executed ...	16·0	17·0
Partially do ...	13·6	17·0
Struck off without execution ...	58·1	59·8
Transferred ...	12·3	6·2

TABLE P-I.

Execution work by districts in respect of moveable and immoveable property.

Districts.	Moveable.			Immoveable.				Remarks.
	Attached.	In which sale followed.	Percentage.	Attached.	Sale followed.	Percentage.	Cases in column 6 in which Collector leased lands.	
1	2	3	4	5	6	7	8	9
Akola ...	402	201	50·	681	342	50·2	54	Self acquired 26, Ancestral 45, Total 71
Buldana ...	93	92	98·9	276	275	99·6	6	2 10 12
Basim ...	117	52	44·4	226	69	30·5	3	... ...
Amraoti ...	319	155	48·6	288	127	44·1	16	12 8 20
Ellichpur ...	268	135	50·4	419	183	43·7	41	7 27 34
Wun ...	293	214	73	197	132	67·	15	6 7 13
Small Cause Court, Akola ..	79	53	67·1	...	...	...	...	... ...
Do. Khamgaon ...	184	73	54·5	...	...	...	...	... ...
Do. Amraoti ..	220	153	69·5	...	..	...	...	... ...

The cases under column 6 include of land paying revenue to Government in each district self-acquired and ancestral, as shown in three columns next preceding this remark, were sold.

25. The number of applications for execution has declined by 450, showing that decree-holders were probably amicably settled with.

The figures for 1889 are slightly more favorable than those of the year previous.

The percentage of wholly infructuous applications is highest in the Ellichpur District (72·5). The explanation is that judgment creditors often take out

execution merely to keep the decree alive. Doubtless a large number of cases returned wholly infructuous are really amicably settled out of court.

Realizations.

26. The total value of the money decrees in execution during the year was Rs. 2,61,602-7-11 against Rs. 2,98,879-14-10 in the previous year. Details of the manner of realization are given below :—

	Rs.	a.	p.
Paid in voluntarily	14,507	12	2
With the issue of process	2,47,094	11	9

Arrest and imprisonment.

The total number of persons imprisoned in execution of decrees was 186 as compared with 236 in 1888.

Court and process fees.

27. The total income on account of court and process fees during the year amounted to Rs. 3,64,830-1-0 including the amount realized in the Judicial Commissioner's Court, against Rs. 3,70,839-11-0 in the previous year. The decrease is attributable to the falling-off in the number of suits instituted during the year.

Bankruptcy.

28. There were 36 applications under chapter XX of Act XIV of 1882 for a declaration of insolvency, against 44 in the previous year.

Only 13 applications were granted as against 7 in 1888. In 2 cases only was it found necessary to appoint a receiver, and the amount of creditors' claims admitted during the year was Rs. 6,640-14-9.

H.—*Witnesses.*

29. The following statement shows the attendance of witnesses during the past two years :—

TABLE Q.

Year.	No. of witnesses who attended.	Period of detention.			No. of witnesses examined.
		For one day.	For two days.	For three days and upwards.	
1889	37,851	35,055	2,098	698	19,558
1888 ...	43,265	40,066	2,283	916	22,467

Attendance of witnesses.

30. The number of witnesses who attended the courts was 37,851, or 5,414 less than in 1888. The falling-off is, of course, due to the decline in litigation during the year.

31. The highest detention occurred in the Akola District, where 16 witnesses were detained for six days. The following explanation has been submitted by the Deputy Commissioner :—

"These detentions were confined to the Small Cause Court Judge of Akola sitting as a Sub-Judge and the Attaché, and may be put down to the very heavy file of the former and his having to attend primarily to small cause cases, while the latter had criminal and treasury work to which precedence has to be given."

On the whole, however, there has been a slight improvement in the detention of witnesses during the year.

PART II.—SMALL CAUSE COURTS.

32. As the remarks made in the foregoing sections, as well as the figures given, show the working of Small Cause Courts separately, it is unnecessary this year to give any further details under this heading.

Part III.—Appellate Courts.

33. The appeals for disposal including those pending from the year previous was 1,430 as compared with 1,000 in 1888, being a slight increase of 430, equivalent to 43 per cent. Of these appeals, 936 were disposed of, or 65·5 per cent

Institutions of appeals.

34. Table R below shows appeal institutions during the year in comparison with the year previous :—

Table R.

	Court of Judicial Commissioner.		Courts of Deputy Commissioners.		Court of Civil and Sessions Judge.		Courts of Civil Judges.		Total.		Percentage of appeals to appealable cases.	
	1888.	1889.	1888.	1889.	1888.	1889.	1888.	1889.	1888.	1889.	1888.	1889.
Special appeals	53	81	...	...	...	...	...	...	53	81	...	...
From decrees of ordinary Civil Courts	451	269	72	93	...	139	155	217	678	718	...	...
Total ..	504	350	72	93	...	139	155	217	731	799	5·	5·9

The fall in the Judicial Commissioner's Court in the second column is due to the effect of the Hyderabad Assigned Districts Courts Law, by which certain appeals that originally went to the Judicial Commissioner are now disposed of by the Civil and Sessions Judge and certain Deputy Commissioners' Courts. The change of system coming in the middle of the year makes useful comparison difficult.

The main feature is that the percentage of appeals to cases appealable has slightly risen.

Appeals decided.

35. The manner in which the disposal of appeals resulted in the different courts will be seen in the table below :—

Table S.

Courts.	Confirmed without notice to respondent.		Dismissed in default.		Remanded for trial.		Decree of Lower Courts Modified.		Decree of Lower Courts Reversed.		Decree of Lower Courts Confirmed.		Total disposed of
	No.	Percentage of total appeals.	No.	Percentage of total appeals.	No.	Percentage of total appeals.	No.	Percentage of total appeals.	No.	Percentage of total appeals.	No.	Percentage of total appeals.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Court of Judicial Commissioner	45	25·2	9	5	31	17·3	14	7·8	36	20·1	44	24·6	179
Court of Civil and Sessions Judge	9	3 4	27	10·3	54	20·5	22	8·4	56	21·3	95	36·1	263
Total ...	54	12·2	36	8·2	85	19·2	36	8·2	92	20·8	139	31·4	442
District Appellate Courts.													
Akola	4	6·8	...	...	2	3·4	7	11·8	23	39	23	39·	59
Buldana	35	31·	11	9·7	11	9·7	4	3·6	21	18·6	31	27·4	113
Basim	26	21·7	12	10	24	20	7	5·8	16	13·3	35	29·2	120
Amraoti	11	17·2	5	7·8	11	17·2	1	1·6	5	7·8	31	48·4	64
Ellichpur	1	50·	1	50	...	.	...	.	..	...	...	...	2
Wun	70	51·5	3	2·2	12	8·8	10	7·4	18	13·2	23	16·9	136
Total ...	147	29·7	32	6·5	60	12·1	29	5·9	83	16·8	143	29	494
Grand total ...	201	21·5	68	7·3	145	15·5	65	6·9	175	18·7	282	30·1	936

Appeals confirmed.

36. A noticeable feature in this return is that, deducting cases dismissed for default, the percentage of confirmations (columns 3 and 13) to the percentage of remands, modifications, and reversals (columns 7, 9, and 11) in three sets of courts named below is as follows:—

	Judicial Commissioner.	Civil and Sessions Judge.	District Court.
Confirmations	49·8	39·5	58·7
Remands, &c.	45·2	50·2	34·8

These figures compare unfavorably with similar results in the Punjab and in the Central Provinces. I cannot suppose that we are more exacting here of our subordinate civil judges, and therefore can only conclude that our subordinate judges are less efficient. I have the support of the Civil and Sessions Judge in saying that the quality of work turned out by some of the subordinate courts might have been very much better. Of course there are exceptions amongst the judges—men who do creditable work, but the averages are affected by the work of the bad and indifferent. Part of this, however, is due, I believe, to continual changes amongst judges; to arrears piling up; and, when they have piled up, to judges working with an eye to appearances—the obtainment of a low average duration in disposal rather than solidity; that is, many cases were hurried through. Again, many of the junior and some of the senior native subordinate judges, I regret to say, instead of at start clearing the waters, have an infinite capacity of muddying them; they appear to think that they have done their duty when they get the case off anyhow, with a judgment of some sort, quite regardless of the matters in dispute being thoroughly and efficiently probed.

Appeals pending in Judicial Commissioner's Court.

37. It will be observed that 258 appeals were pending at the close of the year; of these 181 were over three months.

Including appeals and special appeals on the 31st of December of the years noted below the pending file was as follow:—

	Cases
1885	26
1886	91
1887	230
1888	583

And these last were brought forward to be dealt with during 1889. It was to dispose of the block thus gradually increasing that the new system by the Courts Law was partly introduced in July 1889. It follows that some of the cases in arrear on 31st December 1888 among the 583 were of the year 1886 and many of them of the year 1887; consequently, when under the Courts Law these cases fell to be distributed to the Civil and Sessions Judge and the Deputy Commissioners and the balance that remained to be dealt with by the Judicial Commissioner were taken *rigorously in order of institution*, so that they came to be disposed of *according to age*, the result naturally is a tremendous rise on the average of duration as to disposal; and, though this may seem to reflect on the present, it is in reality a result of the past, for which the officers of the day are in no way responsible. The effective work of the present will appear partly when the next annual report comes to be written and, unless in the interval something unforeseen happens, more completely in the year after. For in the Civil Judges and Deputy Commissioners' Courts (except Basim) the arrears have virtually been breasted, and in the Judicial Commissioner's Court there are now no cases for disposal older than the early part of 1889, and these will be headed within the next

two months or so. Hence the public demand for reasonably expeditious disposal of their apppeal business is now being met.

Average duration.

38. As a matter of fact however the figures as to average duration in disposal for the year under report, contrasted with the year previous, are thus :—

	Judicial Commissioner's Court.	Civil and Sessions Judge.	Deputy Commissioner.
1889	453·1	319·3	122 days.
Against in 1888	290·6	...	46·8 days.

Miscellaneous appeals.

39. What is said above explains also the high average duration in the disposal of appeals in miscellaneous cases also, of which in the Judicial Commissioner's Court 106 were disposed of out of 209. The fact too of distribution of cases under the Courts Law to district courts explains the rise in appeals disposed of in those courts, *viz.*, 494 to 240 in the year previous, and with a larger file to face initially the number pending at the end of the year has slightly risen, Basim, which originally got the most to do, showing the heaviest balance.

In two miscellaneous cases in the appointment of receivers dealing with considerable property, I had seriously to censure one Deputy Commissioner and one Civil Judge, whose length of service and experience should have precluded their dealing with such cases *ex parte* without opportunity to the other side of being heard. There is no limit to the hardship inflicted and wrong that may possibly be done by careless and thoughtless procedure of the sort condemned.

The quality of some of the appellate work in some cases in some of the Deputy Commissioners' Courts did not entirely approve itself and might very easily have been better.

Part IV.—General.

Inspection of civil cases.

40. The following table will show how inspection of cases went in districts :—

Table T.

Class of Courts.	No. of cases called up including the balance of last year.	No. of cases transferred to Assistant Commissioners for inspection and report.	No. of cases inspected by the Deputy Commissioner himself.	Result of inspection				No. of cases pending inspection at the close of the year
				Cases in which procedure was found to be correct.	Cases in which errors were pointed out and communicated to officers concerned.	No. of cases ordered to be admitted under the G. N. No. 112-J, dated 19th July 1878.	Total.	
1	2	3	4	5	6	7	8	9
Akola	77	77	...	60	17	...	77	..
Buldana	206	...	206	192	14	...	206	...
Basim	380	...	380	271	109	...	380	...
Amraoti	226	214	12	172	54	...	226	...
Ellichpur	150	...	150	122	28	...	150	...
Wun ...	157	122	35	117	40	...	157	...
Total ... 1889 ...	1,196	413	783	934	262	...	1,196	...
1888 ...	1,444	381	1,063	1,087	357	...	1,444	...

41. The Civil and Sessions Judge did good and effective work in this direction in the cases that came to him in appeal. It was on appeal cases also that the Judicial Commissioner bases his comments. In some cases at head-quarters the subordinate judges were called up in person and the cases gone through with them.

From what has been written, it will be seen that neither the Sessions Judge nor the Judicial Commissioner has been satisfied with the general quality of the work. We think there is room for improvement, but we think also that of late we detect improvement. One great difficulty that presented itself to European and native officers alike on joining, who had no previous acquaintance with the civil law, was the absence of instructions on all material points, briefly put, to which they could daily refer as business presented itself, and they themselves were in course of being thoroughly self-instructed in the Civil Code and the various Acts. Under the Resident's sanction a short circular (VI of 1889) meeting this want, translated into the vernacular, has issued, and I am hopeful it will do what it is designed to, and will be reflected in improved results hereafter. Some of the subordinate judges too, especially the very junior, are given, I understand, to despise and resent the assistance that the bar is capable of rendering and would render them if they would but listen Many of their mistakes I am sure would have been avoided, and the general quality of their work would have been raised, if, instead of petulantly cutting pleaders short in the pride of judgeship and the supposed possession of superior knowledge, they would give the representatives of parties a patient and full hearing. A full hearing is a necessity, not a waste of time as I fear some imagine, and is not to be confounded with useless repetitions and playing to the gallery, which, indulged in to the obvious waste of time, ought, of course, to be put down.

Local bar

42. In this connection I may here appropriately introduce, in deference to the Resident's orders of last year, a table showing the strength of the local bar by districts.

TABLE U.

Return of Pleaders practising in Hyderabad Assigned Districts.

Districts.	1886.		1887.		1888.		1889.		Remarks.
	Class A.	Class B.	Class A	Class B.	Class A.	Class B.	Class A.	Class B.	
Amraoti ..	4	25	4	24	4	26	5	29	There are in addition enrolled 9 barristers and 12 pleaders residing without the province.
Akola ..	5	33	5	33	5	31	5	31	
Ellichpur ...	...	12	...	12	...	13	...	13	
Buldana ..	..	12	...	12	...	12	..	12	
Basim ...	..	6	.	6	..	6	...	6	
Wun ...	...	4	...	4	...	5	.	5	
	9	92	9	91	9	93	10	96	
	101		100		102		106		

Though the pleaders resident in the four districts of Ellichpur, Buldana, Basim, and Wun for the most part confine themselves to practise in those districts, those at the head of the bar in Amraoti and Akola frequently take cases all over the province. The larger numbers resident in those two districts show where the more valuable practice lies.

I have no hesitation in recording that I am very much assisted by those gentlemen of the bar who ordinarily practise before me, and in stating that their conduct, so far as it has come to my notice, is excellent. Many of them, graduates of the Bombay University, are accomplished and very painstaking, and no doubt, so far as capacity goes, the tendency year by year is towards improvement.

43. In some of the outlying courts, where some men of the older stamp practise, they are occasionally too subservient to the bench, and I fear sacrifice the interests of their clients by refraining to urge all they ought and cancelling witnesses to please the judge and assist towards rapid disposal, which unfortunately, on appeal, turns out to be inefficient disposal. In these views I believe I have the support of the Civil and Sessions Judge and certainly of the most competent, if not of all the Deputy Commissioners.

Notice of officers.

44. I would specially mention Messrs. Shrikrishna Narhar, Ambadas Sunto, Dandekar, and Price in the order named for the largest outturn of civil work, and mostly good work. Mr. Dandekar perhaps at times is a little hasty. I am glad to be able to include Mr. Price in the list because at one period he showed a distinct indisposition to face the collar. By naming these few I do not desire it to be thought that they are our only good subordinate civil judges, but that the brunt of work has fallen to them. Several others have worked hard and well. Amongst those whose civil work has been disappointing Mr. Kesheo Rao Jaikrishna, I regret, heads the list if I exclude Mr. Atmaram Bhicaji, who has since retired and was a notoriously bad judge. Mr. Kesheo Rao is not at all wanting in brains and capacity in other respects. Possibly part of the excuse for him is that he has been in bad health, but at times there has been an inexcusable want of care.

45. In the ministerial department I would name the Superintendent Mr. Jones and the late and present Clerks of Court, Mr. E. Sanjana and Mahomed Ismail. Mr. Sanjana has obtained the coveted advancement to the Extra Assistant Commissioner's grade after long and approved service, and Mr. Jones deservedly hopes that before long he may be equally fortunate.

46. Mr. Obbard names Mr. Balaji Rajaram, his Clerk of Court, and from the district reports and by the careful rendition of returns it seems that the Clerks of Court at Ellichpur (Mr. Trimbuck Ganesh) and Amraoti (Krishnaji Mahdeo) should also be noticed. These officials respectively have a great deal on their shoulders and have done their work well. Speaking generally of the clerkly class, the heads of offices are satisfied, and on the whole we seem to be well and faithfully served.

47. In closing my report, I would desire to record that acknowledgment is specially due by me to Mr. Obbard; he has not only filled the Civil and Sessions Judgeship with capacity and advantage to the province, but at the introduction of the Courts Law and since he has rendered me the greatest assistance in various directions. For the Commissioner's support too, at the time of change, I am much indebted.

I have the honor to be,

Sir,

Your most obedient servant,

K. J. L. MACKENZIE,

Judicial Commissionr, Hyderabad Assigned Districts.

APPENDICES.

JUDICIAL STATEMENT No. VII.—(CIVIL)—*Statement showing the number and description of Civil Suits instituted in the Civil Courts in the Hyderabad Assigned Districts in the year 1889.*

| | Suits for money or moveable property. | | | | | | | | | | Suits under the rent law. | | | | | | | | Title and other suits. | | | | | | | | | |

JUDICIAL STATEMENT No. VIII.—(CIVIL)—*Statement showing the number and value of suits instituted in the Civil Courts in the Hyderabad Assigned Districts in the year* 1889.

Class of Courts.	Number of suits instituted in the different Courts.									Total value of suits.			Remarks.
	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Not exceeding Rs. 1,000.	Not exceeding Rs. 5,000.	Not exceeding Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.				
1	2	3	4	5	6	7	8	9	10	11			12
COURTS IN THE INTERIOR										Rs.	a.	p.	
I.—Civil Courts.													
Unpaid Tribunals ...	...	...	...	...	...	...	...	...	...	...			...
Village Courts ...	...	...	...	..	...	...	...	...	...	...			...
Paid Sub-divisional Tribunals	599	3,758	1,126	1,418	46	...	...	...	277	4,88,896	14	10	7,224
Small Cause Courts ...	850	6,020	2,844	2,263	79	...	...	...	...	8,68,125	13	6	12,056
District Courts, other than Chief Courts of Districts ...	196	1,384	1,108	1388	303	103	...	...	288	7,60,718	8	10	4,770
Chief Courts of Districts	49	419	321	456	125	186	11	4	155	7,41,662	9	10	1,726
Total.. 1889...	1,694	11,581	5,399	5,525	553	289	11	4	720	28,59,403	15	0	25,776
Total.. 1888...	1,860	12,397	5,784	5,697	532	212	7	6	479	29,75,501	9	0	26,974

NOTE.—The total number of suits should be given in the column of remarks against each Court.

JUDICIAL STATEMENT No. IX.—(CIVIL)—*Statement showing the general result of the trial of Civil Cases in the Courts of Original Jurisdiction in the Hyderabad Assigned Districts in the year* 1889.

PART I.—CIVIL SUITS.

Class of Courts.	Total No. of suits before the Courts.	Number of suits disposed of.											Pending at the close of the year	Number of cases pending more than three months at the close of the year.	Average duration of suits.		Remarks.
		Transferred to Courts in other Districts.	Without contest.					On reference to arbitration.		With contest.					Contested.	Uncontested.	
			Without trial.	Compromised.	Decreed on confession.	Decreed ex parte.	Dismissed ex parte.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15	16	17
COURTS IN THE INTERIOR.																	
I.—Civil Courts.																	
Unpaid Tribunals ...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	
Village Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Paid Sub-Divisional Tribunals ..	6,224	...	1,004	991	2,118	1,422	98	31	2	1,356	398	981	165	72·9	41·6		
Small Cause Courts ...	12,705	...	736	1,788	3,335	2,864	57	31	7	2,049	800	1,348	199	34·9	20·8		
District Courts other than Chief Courts of Districts ...	5,879	...	533	381	1,514	874	46	23	6	1,180	387	626	226	20·6	36·9		
Chief Courts of Districts	1,253	...	71	99	125	136	4	1	...	231	49	543	250	72·1	67·		
Total .. 1889 ...	28,063	...	2,344	3,459	7,292	5,296	207	56	15	4,816	1,174	3,377	840	57·8	34·2		
Total .. 1888 ...	32,304	1	2,179	3,385	9,090	5,706	237	91	30	5,436	1,453	1,626	219	59·2	31·7		

JUDICIAL STATEMENT No. IX.—(CIVIL)—*Statement showing the general result of the trial of Civil Cases in the Courts of Original Jurisdiction in the Hyderabad Assigned Districts in the year* 1889.

PART II.—MISCELLANEOUS CASES.—(JUDICIAL).

Class of Courts.	Total number of cases before the Courts.	Number of cases disposed of.											Pending at the close of the year.	No. of cases pending more than three months at the close of the year.	Average duration of cases.		Remarks.
		Transferred to Courts in other districts.	Without trial.	Without contest.				On reference to arbitration.		With contest.							
				Compromised.	Decreed on confession.	Decreed ex parte.	Dismissed ex parte.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.				Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
COURTS IN THE INTERIOR.																	
I.—*Civil Courts.*																	
Unpaid Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Village Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Paid Subdivisional Tribunals	1,159	...	324	21	172	203	22	2	...	160	101	193	23	25·9	49·7		
Small Cause Courts ...	444	...	71	33	63	73	6	...	...	89	51	58	2	40·6	23·8		
District Courts other than Chief Courts of Districts...	1,377	...	318	22	153	186	35	...	...	289	192	113	4	44·6	21·3		
Chief Courts of Districts ...	411	...	97	2	44	52	5	...	...	69	34	108	19	99·6	45		
Total ... { 1889...	3,391	...	810	78	462	514	68	2	...	607	378	472	48	59·1	36·6		
1888 ..	3,784	1	821	89	582	479	99	...	1	777	566	309	33	46·1	31·9		

JUDICIAL STATEMENT No. X.—(CIVIL)—*Statement showing the business of the Civil Appellate Courts in the Hyderabad Assigned Districts in the year* 1889.

PART I.—APPEALS FROM DECREES.

Class of Courts.	Total No. of appeals before the Court.	Transferred to Courts in other districts.	Decisions confirmed, Section 551, C. P. C.	Dismissed for default or otherwise not prosecuted.	Heard ex parte,				Contested.				Pending.	Of these, pending more than three months.	Average duration of appeals.	Objections under Section 551, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
APPEALS FROM ORIGINAL DECREES.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of Districts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Do. of Districts ...	1,011	18	156	59	13	3	3	11	225	48	136	103	236	138	90·5	2	17
Superior Appellate Courts other than Chief Court of Province ...	707	270	43	9	2	..	...	...	42	14	36	31	258	181	453·1	...	583
Total ... { 1889 ...	1,718	288	201	68	15	3	3	11	267	62	172	134	494	319	240·7	2	600
1888 ..	1,000	...	146	12	5	4	3		93	36	74	25	600	465	141·1	...	265

JUDICIAL STATMENT No. X.—(CIVIL)—*Statement showing the business of the Civil Appellate Courts in the Hyderabad Assigned Districts in the year* 1889.

PART II—MISCELLANEOUS APPEALS—(Judicial.)

Class of Courts.	Total No. of appeals before the Court.	Transferred to Court in other districts.	Decisions confirmed, Section 551, C. P. C.	Dismissed for default or otherwise not prosecuted.	Heard ex-parte. Confirmed.	Heard ex-parte. Modified.	Heard ex-parte. Revised.	Heard ex-parte. Remanded.	Contested. Confirmed.	Contested. Modified.	Contested. Reversed.	Contested. Remanded.	Pending.	Of these pending more than 3 months.	Average duration of appeals.	Objections under Sec. 561, Act XIV. of 1882.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
APPEALS FROM ORIGINAL DECREES.																
A.—*Civil Courts.*																
Chief Appellate Courts other than Chief Courts of Districts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Do. of Districts ...	63	3	9	5	2	...	7	2	3	1	5	3	23	6	48·5	...
Superior Appellate Courts other than Chief Court of Province. ...	206	4	49	17	4	...	2	1,11	3	12	7		96	60	388·3	...
Total ... 1889 ...	269	7	58	22	6	...	9	3	14	4	17	10	119	66	300·4	...
Total ... 1888 ...	196	...	17	8	9	...	5	3	11	4	13	13	113	76	161·2	...

JUDICIAL STATEMENT No. XI.—(CIVIL)—*Statement showing the result of proceedings on applications for the execution of the decrees of the Civil Courts in the Hyderabad Assigned Districts in the year* 1889.

Class of Courts.	Total number of applications for the execution of decrees before the Courts.	Applications disposed of. By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Otherwise infructuous.	Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amount realised. With the issue of process.	Amount realised. Without the issue of process.	On which the judgment debtor was arrested.	On which he was arrested, but released without imprisonment.	Number of applications. On which movable property. Was sold.	Number of applications. On which movable property. Was attached, but subsequently released.	Number of applications. On which immovable property. Was dealt with under Section 305, 322, or 326, Act XIV of 1882.	Number of applications. On which immovable property. Was attached, but subsequently released under Section 276.	Number of applications. On which possession was given. Of movables.	Number of applications. On which possession was given. Of immovables.	On which specific performance was enforced.	On which partition was effected.	On which exemption was effected otherwise than in the preceding columns.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
								Rs. a. p.	Rs. a. p.												
COURTS IN THE INTERIOR.																					
I.—*Civil Courts.*																					
Unpaid Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Village Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Paid Sub-Divisional Tribunals ...	7,396	231	1,897	934	3,986	1,097	445	90,898 15 2	1,475 15 6	42	79	317	243	449	4	851	5	195	2	18	423
Small Cause Courts	3,847	...	1,111	1,157	4,779	1,200	244	84,489 2 1	2,678 11 5	38	71	899	260	...	...	...	1	...	...	...	315
District Courts other than Chief Courts of Districts ...	9,250	438	1,331	1,337	4,563	1,329	368	1,15,477 15 8	10,192 9 6	24	13	376	255	609	...	547	23	296	7	12	506
Chief Courts of Districts ...	3,363	122	219	154	1,463	1,325	646	20,458 11 3	160 7 9	9	5	86	20	57	...	77	...	45	...	1	93
Total ... 1889 ...	28,646	791	4,058	3,462	14,791	5,514	1,703	3,47,094 11 9	14,507 13 9	113	168	1,128	777	1,129	4	985	29	536	9	31	1,337
Total ... 1888 ...	30,982	1,180	4,460	4,453	15,901	5,286	1,518	3,81,859 13 1	16,980 1 9	205	177	1,523	903	1,536	12	1,054	21	582	13	34	1,919

JUDICIAL STATEMENT No. XII.—(CIVIL)—*Statement showing the number and result of applications and proceedings under Chapter XX, Act XIV of 1882, in the Hyderabad Assigned Districts in the year* 1889.

Class of Courts.	Application for a declaration of insolvency.							Pending at the close of the year.	Number of insolvents discharged during the year under Section 355.	Number of insolvents' estates in the hands of receivers in which proceedings were finally closed during the year.	Amount of creditors' claims dealt with during the year.		Gross amount of insolvents' assets realized and disbursed.		Remarks.
	Total number for hearing.	Transferred to another district, withdrawn, &c.	Granted.		Rejected.						Admitted.	Satisfied.	Realized during the year.	Disbursed during the year.	
			A receiver being appointed.	A receiver not being appointed.	Penal proceedings under Section 359 not being taken.	Sentence of imprisonment being passed under Section 355.	Applicant being sent to the Magistrate to be dealt with.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
											Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Courts other than Chief Courts of Districts	21	6	...	7	3	...	...	5	...	3	4,451 3 9	170 10 5	175 10 4	361 9 0	
Chief Courts of Districts ...	13	3	2	4	3	...	...	1	2	...	2,189 11 0	3 8 0	...	3 8 0	
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ... 1889 ...	34	9	2	11	6	...	...	6	2	3	6,640 14 9	174 2 5	175 10 4	365 1 0	
Total ... 1888 ...	44	20	2	5	10	1	...	6	2	...	5,459 0 3	319 14 9	418 2 0	444 3 6	

PROVINCIAL.

STATEMENT No. I.—(CIVIL)—*Statement showing number and value of suits instituted in the Civil Courts in the Hyderabad Assigned Districts in the year* 1889.

Class of Courts.	No. of suits instituted in the different Courts.																			Total value of suits.	Remarks.
	Value not exceeding Rs. 10.			Value not exceeding Rs. 50.			Value not exceeding Rs. 100.			Value not exceeding Rs. 500.			Value not exceeding Rs. 1,000.	Value not exceeding Rs. 5,000.	Value not exceeding Rs. 10,000.	Value not exceeding Rs. 1,00,000.	Value exceeding Rs. 1,00,000.	The value of which cannot be estimated in money.	Total.		
	Suits for money or moveables.	Suits under the Rent Law.	Title and other suits.	Suits for money or moveables.	Suits under the Rent Law.	Title and other suits.	Suits for money or moveables.	Suits under the Rent Law.	Title and other suits.	Suits for money or moveables.	Suits under the Rent Law.	Title and other suits.									
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
CIVIL COURTS.																				Rs. a. p.	
Unpaid Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Village Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Paid Sub-divisional Tribunals. — Under ordinary procedure.	558	...	41	3,435	...	323	950	...	176	1,094	...	324	46	...	...	...	...	277	7,224	4,88,896 14 10	
Paid Sub-divisional Tribunals. — Under Small Cause Court powers.	179	...	...	971	...	...	332	...	...	84	...	...	...	...	...	...	...	...	1,566	71,639 14 11	
Small Cause Courts. — As Small Cause Court Judges.	349	...	...	3,837	...	...	1,357	...	...	1,281	...	...	78	...	...	...	...	...	5,896	4,65,772 11 7	
Small Cause Courts. — Under powers of Subordinate Judge	3	...	10	75	...	48	72	...	41	145	...	91	67	39	...	...	...	23	614	1,93,055 1 4	
District Courts other than Chief Courts of Districts. — Under ordinary procedure.	157	...	26	1,100	...	161	824	...	171	839	...	319	236	64	...	...	...	265	4,156	5,67,663 7 6	
District Courts other than Chief Courts of Districts. — Under Small Cause Court powers.	240	...	...	1,494	...	...	726	...	...	557	...	...	1	...	...	...	...	...	3,018	2,07,195 8 5	
Chief Courts of Districts. — Under ordinary procedure.	37	...	12	351	...	68	248	...	73	319	...	137	125	186	11	4	...	155	1,726	7,41,662 9 10	
Chief Courts of Districts. — Under Small Cause Court powers.	88	...	...	718	...	...	429	...	...	341	...	...	...	...	...	...	...	...	1,576	1,23,517 10 7	
Total ... 1889...	1,605	...	89	10,981	...	600	4,938	...	461	4,660	...	865	553	289	11	4	...	720	25,776	28,59,403 15 9	
Total ... 1888...	1,783	...	77	11,843	...	554	5,243	...	541	4,923	...	774	532	212	7	6	...	479	26,974	29,75,501 9 0	

JUDICIAL STATEMENT No. II.—(CIVIL)—*Statement showing the general result of the trial of Civil Cases in the Courts of Original Jurisdiction in the Hyderabad Assigned Districts during the year* 1889.

PART I.—CIVIL SUITS.

Class of Courts.	No. of suits before the Courts.								No. of suits disposed of.											Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of suits.				
									Without trial.			Without contest.				On reference to arbitration.	With contest					Contested.			Uncontested.		
	Pending from last year.	Instituted during the year.	Received by transfer from other Courts.	Remanded under Section 568, Act XIV. of 1882.	Reviewed under Section 629.	Reviewed under Sections 69, 108 or 371.	Total for disposal.	Transferred to other Courts.	Plaint rejected or returned.	Dismissed for default of prosecution.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed ex-parte.	Dismissed ex-parte.	On Plaintiff.	For Defendant.	Judgment for plaintiff in whole or part.	Judgment for Defendant.	Total disposed of omitting transfer.			No. of cases, (columns 17 to 20.)	Aggregate No. of days occupied in trial.	Average No. of days.	No. of cases (columns 10 to 16.)	Aggregate No. of days occupied in trial.	Average No. of days.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
Paid Sub-divisional Tribunals. { Under ordinary procedure.	563	7,234	1,117	47	14	196	*9,183	*959	26	884	112	991	2,118	1,422	96	31	2	1,556	366	*7,430	*961	165	1,787	1,30,228	72·9	5,633	2,34,388	41·6
Paid Sub-divisional Tribunals. { Under Small Cause Court powers.	...	1,508	68	...	1	13	1,642	69	1	94	29	216	522	307	18	1	...	271	49	1,538	39	6	331	9,720	30·3	1,217	25,436	20·9
Small Cause Courts. { As Small Cause Court Judges.	389	5,696	211	...	...	65	6,361	...	26	322	60	1,095	1,701	1,444	18	29	7	859	202	5,764	797	170	1,098	47,076	42·8	4,686	1,34,25	28·9
Small Cause Courts. { Under powers of Subordinate Judge.	48	614	52	5	2	13	728	...	13	23	7	88	138	67	6	4	2	172	33	554	176	48	323	23,514	1,062	342	18,801	55
District Courts other than Chief Courts of Districts. { Under ordinary procedure.	447	4,186	730	*37	7	156	5,338	398	30	378	90	493	1,378	807	42	19	4	1,007	304	4,548	446	178	1,234	82,357	61·8	3,208	1,12,698	34·9
District Courts other than Chief Courts of Districts. { Under Small Cause Court powers.	125	3,012	2	...	1	33	3,173	211	2	83	22	352	867	741	21	1	...	980	89	2,340	115	...	760	19,089	25·1	2,089	45,068	21·6
Chief Courts of Districts. { Under ordinary procedure.	36	1,726	304	28	1	43	2,226	971	3	52	16	96	125	136	4	1	...	231	49	713	542	250	292	20,235	72·1	432	28,958	67
Chief Courts of Districts. { Under Small Cause Court powers.	...	1,876	59	...	...	6	1,641	35	5	66	15	128	415	372	...	...	...	259	39	1,306	300	22	228	10,595	35·6	1,008	36,345	36·1
Total ...	1889.	1,626	25,776	2,628	115	28	520	30,691	2,635	110	1,692	352	3,456	7,292	5,396	207	66	15	4,616	1,174	24,626	3,377	640	6,091	3,52,947	57·8	19,566	6,35,269	34·2
	1888.	1,919	26,974	1,926	44	28	424	30,691	1,296	81	1,722	276	3,285	6,990	5,796	229	91	30	5,484	1,455	27,767	1,626	219	7,019	4,14,846	59·2	20,757	6,56,014	31·7

* Difference of 657 between column 8 on one side and columns 9, 21, and 22 together on the other apparent against paid Sub-divisional Tribunals and District Courts other than Chief Court of Districts is owing to change of Office from one grade to another. The total figures do not exhibit the difference.

Supplemental Statement showing the number of Civil Cases called up by the Deputy Commissioner for inspection from the Subordinate Courts during the year 1889.

Class of Courts.	No. of cases called up including the balance of last year.	No of cases transferred to Assistant Commissioner's for inspection and report.	No of cases inspected by the Deputy Commissioner himself.	Result of inspection.				No. of cases pending inspection at the close of the year.	Remarks.
				Cases in which procedure was found to be correct.	Cases in which errors pointed out and communicated to officers concerned.	No. of cases ordered to be admitted under the Government Notification No 112-J., dated 19th July 1878.	Total.		
1	2	3	4	5	6	7	8	9	10
Akola	...	...	...	...	...	...	...	...	Not received.
Buldana ...	206	...	206	192	14	...	206	...	
Basim	380	...	380	271	109	...	380	...	
Amraoti ...	226	214	12	172	54	...	226	...	
Ellichpur ...	150	...	150	122	28	...	150	...	
Wun	157	122	35	117	40	...	157	...	
Total... 1889...	1,119	336	783	874	245	...	1,119	...	
Total... 1888...	1,444	381	1,063	1,087	357	...	1,444	...	

PROVINCIAL.

SUPPLEMENT TO JUDICIAL STATEMENT No. II.—(CIVIL)—*Statement showing the general result of Civil Suits disposed of by each Officer in the Several Courts of the Hyderabad Assigned Districts during the year* 1889.

PART I—CIVIL SUITS.

Name of Officer.	Designation.	Received otherwise.							No. of suits disposed of.														Average duration of suits.					
		Pending from last year.	Instituted in the year.	Received by transfer from other Courts.	Remanded under Section 568, Act X of 1882.	Reviewed under Section 626.	Revived under Sections 39, 108, 109 or 372.	Total for disposal.	Transferred to other Courts.	Without trial.		Without contest.			On reference to arbitration.		With contest.			Total disposed of, omitting transfers.	Pending at the close of the year.	Of those pending more than 3 months at the close of the year.	Contested.			Uncontested.		
										Plaint rejected or returned.	Dismissed for default or withdrawn with leave.	Withdrawn without leave.	Compromised.	Decreed on confession.	Decreed as *parte*.	Dismissed as *parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or part.	Judgment for defendant.				No. of cases (columns 19 to 23).	Aggregate No. of days occupied in trial.	Average No. of days.	No. of cases (columns 24 to 25).	Aggregate No. of days occupied in trial.	Average No. of days.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
	AKOLA DISTRICT.																													
1	S. Obbard, Esquire	Special Assistant Commissioner	23	105	...	...	...	...	128	...	...	...	...	...	...	...	...	...	...	...	...	...	23	548	23·8	5	900	180·0
2	Mr. C. A. W. Davies		...	52	...	...	...	...	52	...	14	1	...	3	18	1	...	...	...	...	...	...	...	...	...	...	...	...
3	„ Shrikrishna Narhar, { Under ordinary procedure. / Under S. C. C. powers	E. A. Commissioner, Telhara.	16	278	...	13	2	...	307	2	...	8	...	3	219	76	1	1	...	1	2	1	16	1,871	116·9	14	1,490	92·8
		Do. do.	19	2,201	...	...	1	...	2,220	...	26	2	25	12	240	657	264	15	1	317	78	2,117	116	6	266	10,840	18·5	1,954	22,218	14·6
4	Mr. Raghunath	Assistant Commissioner	...	21	...	...	...	...	21	...	...	...	...	...	4	7	7	...	...	18	...	77	...	...	29	2,868	70·8	29	1,545	39·6
5	„ P. Govind Rao	Extra Assistant Commissioner.	33	30	...	...	...	...	63	...	...	...	...	...	2	1	...	...	...	2	...	5	...	...	2	149	74·5	...	...	...
6	Nimamoddeen	Assistant Commissioner	6	...	...	...	...	...	6	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	134	67·	1	21	21·
7	„ C. A. W. Davies	Do. Do.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	144·0
8	„ Manikcha	E. A. Comr. and Sub-Judge	...	100	25	...	...	...	125	...	...	...	...	...	7	20	15	5	...	47	...	...	...	...	...	...	...	1	25	25·
9	„ MacGill	Do. do.	...	279	1	4	...	12	296	...	11	17	3	2	37	45	25	2	...	85	12	220	166	24	87	9,470	108·8	132	7,182	54·
10	Captain Garrett	Asst. Comr. and Sub Judge, Khamgaon	43	209	12	1	1	...	156	...	1	1	2	2	32	7	...	1	...	43	2	109	...	...	43	4,696	104·3	69	3,230	54·8
11	Mr. Manikcha	E. A. Comr. and Sub-Judge, Khamgaon ...	...	129	...	2	1	...	132	...	...	2	1	1	36	44	15	...	1	99	2	199	...	...	49	4,696	104·3	69	3,230	54·8
12	„ Hyder Alli	Attaches	...	...	...	1	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
13	„ Moorshodisen	Naib Tahsildar, Akot	...	158	...	...	...	...	158	...	...	...	...	...	2	72	11	...	...	85	2	172	...	...	85	1,853	21·7	111	2,355	21·
14	„ Shaboo Dajt	Do., Balapur	...	105	...	...	...	...	105	...	...	...	...	...	2	22	15	...	...	39	...	61	...	...	39	396	10·1	61	1,008	16·5
15	„ Syad Mahmed	Do., Jalgaon	...	105	...	...	...	...	105	...	...	1	...	...	2	22	16	...	...	41	...	64	...	...	41	214	9·3	8	780	9·8
		Total ...	157	4,197	38	20	5	12	4,429	2	52	31	31	22	576	1,168	783	24	6	2	1,090	191	3,849	551	69	1,890	54,988	42·6	2,559	60,009	23·5
	BULDANA DISTRICT.																													
1	Colonel Sacrepanaki	Dy. Comr. ...	3	3	...	...	...	...	6	...	...	...	1	...	...	1	...	...	...	...	...	1	...	...	...	...	...	...	...	...
2	Kumar Shri { Under ordinary procedure / Harbhanji { Under S. C. C. powers	Civil Judge ...	4	218	76	...	...	...	298	2	22	...	1	30	6	1	1	...	...	2	...	10	224	22	2	133	66·5	2	333	111
		Do. ...	...	589	41	...	...	...	630	23	...	2	18	3	53	122	219	...	...	131	14	557	15	...	146	3,043	20·7	146	6,159	41·8
3	Mr. Ambadas { Under ordinary procedure / Sents. { Under S. C. C. powers	S. A. Comr. Mehkar	4	1,054	...	4	...	32	1,093	1	...	...	46	6	146	447	223	1	28	152	55	1,021	1	...	287	6,756	23·5	354	8,378	23·6
		Do. ...	...	385	76	...	...	...	461	...	...	...	36	14	116	261	141	...	...	97	15	682	6	...	133	2,320	17·4	67	1,256	18·7
4	Mr. Atmaram Bhicaji	E. A. Comr., Buldana	9	691	...	...	1	26	727	4	1	18	5	28	21	239	...	...	...	26	12	723	...	...	107	6,081	56·8	616	12,053	19·6
5	„ Waman Narayan	E. A. Comr., Malkapur	67	494	...	...	1	8	570	...	1	11	4	30	18	127	...	1	1	12	16	445	...	...	91	7,057	77·3	374	7,788	20·7
6	„ Atmaram Bhicaji	Do. ...	...	79	...	...	...	...	79	119	...	...	...	6	6	8	...	...	...	1	...	32	...	...	17	1,289	74·6	46	2,426	60·6
7	„ E. Marshall	Do. ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
10	„ E. Marshall	E. A. Comr., Buldana	34	265	55	...	...	...	345	55	...	...	1	6	69	70	83	1	...	57	7	223	...	...	65	2,069	31·8	223	3,486	15·7
		Total ...	86	4,064	250	4	2	84	4,440	204	24	31	116	74	563	1,305	1,167	3	29	3	699	182	4,078	128	2	825	33,621	40·8	2,351	53,333	16·4
	BASIM DISTRICT.																													
1	Mr. H. B. Knowlys	Deputy Commissioner	...	...	1	...	...	1	2	...	...	...	...	...	...	...	1	...	...	1	...	2	...	...	1	30	30	...	...	...
2	„ E. Obbard	Do. do.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
3	Captain J. G. Morris	Do. do.	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	1	...	2	...	...	...	...	...	...	...	...
4	F. Sarsj { Under ordinary procedure / Narayan. { Under S. C. C. powers	Asst. Commissioner ...	29	297	14	...	1	29	357	73	2	30	9	35	29	37	5	1	...	92	12	225	71	15	56	4,729	84·4	156	8,776	56·4
		Do. ...	...	115	18	...	...	...	133	...	1	8	...	15	7	15	...	...	...	16	1	63	1	...	16	461	28·8	48	647	14·4
5	Mr. Ajudha Prasad	E. A. Comr. ...	94	427	230	12	1	32	796	120	1	62	10	60	32	96	19	1	12	1	64	408	46	12	234	14,147	60·5	252	13,988	55·4
6	„ Meer Hashmut Alli ...	Attaches	...	430	...	...	...	12	442	6	...	54	2	39	96	41	6	...	...	38	...	242	...	...	107	5,206	22·4	260	5,548	21·2
7	„ C. Shamrao	Do.	31	541	9	2	1	12	596	6	...	94	8	98	169	149	...	1	...	92	13	1078	97	...	108	6,063	56·1	232	13,160	56·6
8	Pandit Suraj Narayan	Assistant Commissioner	...	161	1	...	...	...	162	...	...	12	...	12	21	21	...	...	...	33	...	79	...	...	6	174.	29·	76	2,255	29·4
9	Mr. Balwant Bapuji	Tahsildar, Mangrul ...	37	283	...	...	...	...	320	74	1	23	5	43	23	23	...	...	...	55	4	264	...	...	66	3,075	51·2	974	7,199	30·2
10	„ Narayan Raoji	Naib Tahsildar, Mangrul	...	295	1	...	...	...	296	...	2	33	...	39	20	40	...	...	...	30	6	200	...	...	36	457	17·3	183	2,850	13·8
11	„ Krishnarav Avnant	Tahsildar, Pusad ...	57	134	...	...	...	...	191	...	...	24	2	17	17	40	...	...	...	22	...	122	...	...	22	737	36·2	58	2,238	54·7
12	„ Ganesh Govind	Do. ...	...	415	98	...	...	15	681	388	...	131	1	68	82	67	...	...	...	69	19	513	56	2	58	5,855	93·1	345	12,765	37·
		Total ...	148	3,856	390	21	3	129	3,646	390	6	496	35	456	496	491	31	3	12	550	157	3,896	320	29	722	36,904	53·9	2,214	75,904	34·3

Amraoti District.

| | | |

PROVINCIAL.

JUDICIAL STATEMENT No. II.—(CIVIL)—*Statement showing the general result of the trial of Miscellaneous Cases in the Several Courts of the Hyderabad Assigned Districts during the year 189.*

PART II.—MISCELLANEOUS CASES.—(Judicial.)

Class of Courts.	Suits remaining from last year	Instituted during the year	Received otherwise.				Total for disposal.	Transferred to other Courts.	Disposed of.										Total of columns 10 to 20, i. e., disposed of omitting transfers.	Pending at the close of the year	No. of cases pending more than 3 months at the close of the year.	Average duration of cases in column 21.	
			Received by transfer from other Courts.	Remanded under Sect on 562, Act XIV of 1882	Reviewed under Section 626.	Revived under Sections 99, 103, 108.			Without trial.			Without contest.				On reference to arbitration.		With contest.					Aggregate No. of days occupied in trial.	Average No. of days
									Applications rejected or returned.	Dismissed for default or want of prosecution.	Withdrawn with leave.	Compromised.	Decreed on confession	Decreed ex-parte.	Dismissed ex-parte		For plaintiff.	For defendant.	Judgment for plaintiff in whole or part	Judgment for defendant.					
1	2	3		5	6	7	8	9	10	11	12	13	14	1	16	17	18	19	20	21	22	23	24	25
Unpaid Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Paid Sub-Divisional Tribunals — Under ordinary procedure	122	1,031	92	...	4	11	1,260	101	150	172	2	21	172	201	22	2	...	160	101	1,005	193	23	57,809	57·5
Paid Sub-Divisional Tribunals — Under Small Cause Court powers ..	...	28	...	...	...	2	30	...	2	3	...	...	3	12	...	...	...	...	1	21	9	...	495	23·6
Small Cause Courts. — As Small Cause Court Judges ...	16	214	4	...	5	49	288	...	20	31	3	33	21	48	5	...	...	64	37	262	26	1	8,941	34·1
Small Cause Courts. — Under powers of Subordinate Judge ...	18	169	5	...	2	24	218	1	25	32	5	7	25	1	2	...	...	32	47	184	33	3	9,646	52·4
District Courts other than chief Courts of Districts — Under ordinary procedure	129	1,062	11	...	...	6	1,208	48	146	105	5	15	158	177	33	...	...	257	145	1,041	80	1	30,658	29·5
District Courts other than chief Courts of Districts — Under Small Cause Court powers ...	5	98	6	...	...	1	110	4	3	1	...	...	35	13	1	...	...	24	13	90	16	...	1,702	18·9
Chief Courts of Districts — Under ordinary procedure	19	354	73	...	...	2	448	37	62	33	2	2	44	52	5	...	...	69	34	303	108	19	19,241	63·5
Chief Courts of Districts — Under Small Cause Court powers ..	...	20	...	...	...	...	20	...	4	4	...	...	4	...	...	...	...	1	...	13	7	1	409	30·8
Total ... 1889	309	2,976	191	...	11	95	3,582	191	412	381	17	78	462	514	68	2	...	607	378	2,919	472	48	128,901	44·2
Total ... 1888	250	3,408	72	2	10	54	3,796	73	433	377	11	89	582	479	99	...	1	777	566	3,414	309	33	127,907	37·5

JUDICIAL STATEMENT No. II-A.—(CIVIL)—*Statement showing in detail further particulars and distribution of Civil Work in the several Courts of the Hyderabad Assigned Districts during the year* 1889.

Number.	District.	For disposal.			Total.	Disposed of																	
							Percentage of cases.											Average duration.					
		Suits remaining from last year.	Instituted during the year.	Received otherwise as referred to in Provincial Judicial Statement No. XI. Parts I and II.		Total No. of suits decided during the year exclusive of cases transferred to other Courts.	Rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed ex-parte.	Dismissed ex-parte.	By arbitration.	Contested and decided in favour of plaintiff.	Contested and decided in favour of defendant.	Contested cases in favour of plaintiff in the number contested.	In contested cases.	In uncontested cases.	Number decided by Europeans Judges.	Number decided by Native Judges.	Average number decided by officers of each class.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
1	Akola	118	1,996	108	2,222	1,732	1·2	2·7	1·6	13·3	30·3	10·3	·5	·5	33·1	6·5	83·5	60·7	35	379	1,353	247·4	
2	Buldana	82	2,811	291	3,184	2,852	·05	3·2	2·	13·3	34·4	26·1	·05	·9	16·4	3·6	81·9	30·5	18	292	2,560	475·3	
3	Basim	142	2,843	530	3,515	2,875	·2	16·9	1·2	15·4	23·8	16·6	1·3	·6	18·6	5·4	77·6	54·4	34·7	1	2,874	479·2	
4	Amraoti	398	1,926	590	2,914	1,798	·8	16·4	2·5	8·7	17·5	16·3	3·7	·1	23·7	10·3	69·8	131·4	89·6	1,149	649	299·2	
5	Ellichpur	222	2,134	572	2,928	2,126	·2	4·7	1·9	12·1	35·7	17·7	·5	·6	21·5	5·1	81	67·9	40·5	248	1,878	265·7	
6	Wun	150	2,010	751	2,911	1,846	1·1	15·9	1·1	10·8	26·8	19·8	1·4	·1	16·7	6·3	72·8	77·2	47·8	1	1,845	369·2	
	Total ...	1,112	13,720	2,842	17,674	13,229	·5	1·0	1·7	12·6	48·4	14·4	1·1	·5	20·9	5·9	78·1	73·5	41	2,070	11,159	322·7	
	Sub-Judges exercising Small Cause Court powers.																						
1	Telhara	19	2,201	10	2,230	2,117	·1	1·2	·6	11·6	30·1	27·6	·7	·1	24·4	3·6	86·7	18·2	14·6	...	2,117	2,117	
2	Buldana	...	1,223	53	1,278	1,224	·2	3·9	1·3	13·3	33	29·4	...	...	16·5	2·4	87·5	15·8	12·8	...	1,224	612	
3	Basim	...	115	16	131	61	1·6	13·2	...	24·6	9·8	24·6	...	...	24·6	1·6	93·7	28·6	14·4	...	61	61	
4	Amraoti	106	1,164	22	1,292	1,045	·1	10·3	1·2	13·4	29·9	18·6	1·6	...	20·2	3·7	83·9	54·1	43·3	313	732	5,225	
5	Ellichpur	...	1,457	68	1,525	1,246	·2	4·8	2	11·2	38·1	20·6	·6	...	19·9	3·1	86·4	38·3	38·3	...	1,246	623	
6	Wun	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Total ...	125	5,917	414	6,456	5,693	·1	4·3	1·2	12·3	32·2	25	·7	·1	20·9	3·2	86·4	28·6	24·8	313	5,380	569·3	
	Small Cause Courts.																						
1	Akola	163	1,948	33	2,084	1,937	·9	7·2	·9	13·6	30·5	23·5	·5	...	19	3·9	85·2	33·9	26·9	1,079	858	1,937	
2	Khamgaon	117	697	4	818	764	·4	·5	2·1	14·8	30·2	21·5	...	·5	26·7	3·3	87·5	51·6	39·4	425	339	764	
3	Amraoti	169	2,908	27	3,104	2,997	·5	5·8	·9	22·9	29	27·4	·1	1·	9	3·4	73·6	43	25·4	...	2,997	2,997	
4	Badnera	...	343	212	555	66	...	6·1	...	34·9	16·7	4·5	10·6	...	22·7	4·5	83·3	145·7	152·1	..	66	66	
	Total ...	389	5,896	276	6,561	5,764	·6	5·6	1·1	18·8	29·5	25·1	·3	·6	14·9	3·5	80·9	72·9	28·8	1,504	4,260	1,441	
	Grand Total ... {1889 ... {1888 ...	1,626 / 1,919	25,776 / 26,974	3,289 / 1,798	30,691 / 30,691	24,686 / 27,767	·5 / ·3	7·6 / 6·2	1·4 / 1·4	14 / 12·9	29·5 / 32·4	21·5 / 20·7	·8 / ·9	·4 / ·4	19·5 / 19·6	4·8 / 5·2	80·5 / 78·8	57·8 / 59·1	34·2 / 31·2	3,887 / 1,971	20,799 / 25,796	484 / 544·6	

JUDICIAL STATEMENT No. III.—(CIVIL)—*Statement showing the business of the Civil Appellate Courts in the Hyderabad Assigned Districts in the year* 1889.

PART I.—APPEALS FROM DECREES.

Class of Courts.	Appeals remaining from last year.	Instituted in the year.	Otherwise received.				Total for disposal.	Transferred to other Courts.	Decisions confirmed Section 551.	Dismissed for default, Sections 556, 557, or otherwise not proceeded.	Heard *ex parte*.				Contested.				Total disposed of omitting transfers.	Pending.	Of those pending more than three months.	Avarage duration of appeals in column 20.		Objections under Section 561, Act XIV of 1882.
			Received by transfer from other Courts.	Reviews under Section 626, Act XIV. of 1882.	Remands under Section 562.	Revivals under Sections 558, 561.					Confirmed.	Modified.	Reversed.	Remanded under Section 562.	Confirmed.	Modified.	Reversed.	Remanded under Section 562.				Aggregate No. of days the appeals were pending.	Average No. of days pending.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
APPEALS FROM ORIGINAL DECREES.																								
Chief Appellate Courts of Districts.																								
Akola	6	61	...	...	...	...	67	8	4	...	...	...	...	...	23	7	23	2	59	...	...	3,070	52·	...
Buldana	1	39	68	...	...	9	117	1	35	11	...	1	...	1	31	3	21	10	113	3	1	19,089	168·9	...
Basim	...	71	126	...	1	3	201	...	26	12	8	1	...	1	27	6	16	23	120	81	65	31,952	266·3	...
Amraoti	10	71	...	1	...	4	86	22	11	5	...	...	1	...	31	1	4	11	64	...	...	2,288	35·7	...
Ellichpur	...	7	1	...	...	...	8	6	1	1	...	...	...	...	...	...	...	...	2	...	...	129	64·5	...
Wun	...	61	82	...	...	2	145	...	70	3	...	...	...	...	23	10	18	12	136	9	2	3,723	27·4	...
Civil and Sessions Judge's Court (Akola, Amraoti, and Ellichpur Districts).	...	139	310	...	...	5	454	48	9	27	5	1	2	9	90	21	54	45	263	148	70	83,980	319·3	2
Total ...	17	449	587	1	1	23	1,078	85	156	59	12	3	3	11	225	48	136	103	757	236	138	1,44,231	190·5	2
Judicial Commissioner's Court.																								
Appeals from original decrees.	513	269	44	...	...	5	831	546	37	8	1	...	...	...	26	11	29	23	135	150	123	57,445	425·5	...
Appeals from appellate decrees.	70	81	...	...	1	...	152	...	8	1	1	...	...	...	16	3	7	8	44	108	58	23,658	537·7	...
Total ..	583	350	44	...	1	5	983	546	45	9	2	...	...	...	42	14	36	31	179	258	181	81,103	453·1	...
Grand Total .. { 1889 ...	600	799	631	1	2	28	2,061	631	201	68	15	3	3	11	267	62	172	134	936	494	319	2,25,334	240·7	2
Grand Total .. { 1888 ...	265	731	...	...	2	2	1,000	...	146	12	5	4	3	2	93	36	74	25	400	600	455	56,430	141·1	...

PROVINCIAL.

JUDICIAL STATEMENT No. III.—(CIVIL)—*Statement showing the business of the Civil Appellate Courts in the Hyderabad Assigned Districts during the year* 1889.

PART II.—MISCELLANEOUS CASES BEFORE APPELLATE COURTS.

Class of Courts.	Appeals remaining from last year.	Instituted in the year	Otherwise received.				Total for disposal.	Transferred to other Courts.	Decisions confirmed Section 551.	Dismissed for default or otherwise not prosecuted.	Heard *ex-parte*.				Contested.				Total disposed of, exclusive of transfers.	Pending.	Of these pending more than three months.	Average duration of appeals in column 20.		Objections under Sec. 5 Act 661, Act XIV of 1882.	Remarks.
			Received by transfer from other Courts.	Reviews under Sec. 646, Act XIV of 1882.	Remands under Section 562.	Restored to file under Sections 558, 560.					Rejected.	Modified.	Decreed or granted.	Remanded under Section 562.	Rejected.	Modified.	Decreed or granted.	Remanded under Section 562.				Aggregate No. of days the appeals were pending.	Average No. of days pending.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
APPEALS FROM ORIGINAL DECREES.																									
Chief Appellate Courts of Districts.																									
Akola	...	1	...	...	...	...	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Buldana	...	1	1	...	...	...	2	...	...	...	...	...	...	...	1	...	1	...	2	...	...	275	136·5	...	
Basim	...	18	3	...	...	...	21	...	2	2	1	...	4	...	1	1	...	...	2	12	4	409	45·4	...	
Amraoti	2	6	...	...	...	1	9	2	3	2	...	...	...	...	1	1	...	...	7	...	...	194	27·7	...	
Ellichpur... ..	...	2	...	...	...	...	2	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Wun	1	2	1	...	...	...	5	...	1	...	...	...	1	...	...	...	...	2	4	1	...	110	27·5	...	
Civil and Sessions Judge's Court ...	...	18	8	...	...	...	26	1	3	1	1	...	2	2	1	...	4	1	15	10	2	810	54	...	
Total ...	3	49	13	...	...	1	66	6	9	5	2	...	7	2	3	1	5	3	37	23	6	1,796	48·5	...	
Judicial Commissioner's Court.																									
Appeals from original decrees.	110	94	...	...	...	5	209	7	49	17	4	...	2	1	11	3	12	7	106	96	60	41,157	388·3	...	
Appeals from appellate decrees.	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	
Grand Total { 1889...	113	143	13	...	...	6	275	13	58	22	6	...	9	3	14	4	17	10	143	119	66	42,953	300·4	...	
Grand Total { 1888...	65	130	...	...	1	...	196	...	17	8	9	...	5	3	11	4	13	13	83	113	76	13,386	161·2	...	

PROVINCIAL.

JUDICIAL STATEMENT No. III-A.—(CIVIL)—*Statement showing the Value and Costs of Appeals (Judicial) decided by the several Appellate Courts of the Hyderabad Assigned Districts during the year* 1889.

No.	Districts.	Total number disposed of and value.		Aggregate costs of appeals.			Average costs of appeals.			Percentage of costs to value of appeals.			Average value of appeals.	Remarks.
		Appeals.	Value.	Necessary.	Voluntary.	Total.	Necessary.	Voluntary.	Total.	Necessary.	Voluntary.	Total.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	APPEALS FROM ORIGINAL DECREES OF WHICH VALUE CAN BE FIXED.		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
1	Akola	56	5,240 0 3	833 2 0	438 0 8	1,271 2 8	14 14 0	7 13 2	22 11 2	15 14 0	8 5 6	24 3 6	93 11 9	...
2	Balkana	107	9,906 5 3	1,175 6 0	434 12 7	1,592 2 7	10 15 8	3 14 4	14 14 1	11 13 10	4 3 5	16 1 2	101 1 4	...
3	Basim	109	11,195 13 1	1,311 13 0	447 14 0	1,759 11 0	12 0 7	4 1 8	16 2 3	11 11 6	4 0 0	15 11 6	104 10 1	9
4	Amraoti	56	5,514 2 9	335 8 0	270 4 1	795 12 1	9 6 5	4 13 3	14 3 8	9 8 8	4 14 5	14 7 2	106 0 8	2
5	Ellichpur	2	142 10 0	0 8 0	7 8 0	15 12 0	7 10 0	3 14 0	7 14 0	10 11 1	0 5 7	11 0 8	71 5 0	4
6	Wun	99	15 619 12 3	1,578 10 0	377 3 4	1,955 13 4	13 14 7	3 13 0	16 11 7	9 6 2	2 12 3	12 2 5	38 15 8	...
7	Civil and Sessions Judge's Court	240	41,697 1 6	2,939 1 0	2,050 7 5	5,989 8 5	16 6 7	8 8 8	24 15 3	9 0 3	4 11 1	13 11 4	169 9 7	1
	Total ...	669	89,324 13 1	9,079 13 6	4,001 2 2	13,080 14 2	13 9 2	5 15 9	19 8 10	10 2 5	4 7 8	14 10 4	137 3 4	3
	APPEALS OF WHICH VALUE CANNOT BE FIXED													18
1	Akola	3	...	55 5 0	16 12 10	72 1 10	18 7 0	5 9 7	24 0 7	...	...	...	...	
2	Balkana	6	...	105 7 0	45 5 0	150 12 0	17 9 2	7 8 10	25 2 0	...	...	...	...	
3	Basim	11	...	130 11 0	63 8 0	206 3 0	12 11 2	5 12 4	18 7 6	...	...	...	...	
4	Amraoti	8	...	8 10 0	30 8 4	112 2 4	10 3 3	3 13 6	14 0 3	...	...	...	...	
5	Ellichpur	...	...	...	...	...	...	...	...	...	...	...	...	
6	Wun	37	...	367 9 0	152 10 5	570 3 5	10 7 7	4 15 6	15 6 7	...	...	...	...	
7	Civil and Sessions Judge's Court	23	...	306 7 0	176 2 0	482 9 0	13 5 2	7 10 6	20 15 8	...	...	...	...	
	Total ...	89	...	1,076 1 0	516 14 7	1,590 15 7	12 3 8	5 13 7	18 1 3	...	...	...	...	
	MISCELLANEOUS APPEALS.													
1	Akola	...	...	...	...	...	...	...	...	...	...	...	...	
2	Balkana	2	...	23 8 0	1 8 0	25 0 0	11 12 0	0 12 0	12 8 0	...	...	...	...	
3	Basim	9	...	10 7 0	6 3 0	16 10 0	1 3 6	0 11 6	1 15 0	...	...	...	...	
4	Amraoti	7	...	10 11 0	2 3 3	12 14 3	1 8 5	0 5 0	1 13 5	...	...	...	...	
5	Ellichpur	...	...	...	...	...	...	...	...	...	...	...	...	
6	Wun	4	...	6 9 0	1 8 0	7 9 0	1 10 3	0 4 0	1 14 3	...	...	...	...	
7	Civil and Sessions Judge's Court	15	...	29 13 0	14 15 11	44 12 11	1 15 10	1 0 6	2 15 10	...	...	...	...	
	Total ...	37	...	81 0 0	25 14 2	106 14 2	2 3 6	0 11 2	2 14 2	...	...	...	...	
1	Judicial Commissioners Appeals from original decrees of which value can be fixed	117	1,09,777 7 10	5,803 10 0	4,005 10 7	9,809 4 7	49 9 8	34 3 9	83 13 5	5 4 7	3 10 5	8 15 0	954 9 5	2
2	Appeals of which value cannot be fixed ...	18	...	570 5 0	45 1 12	1,022 1 5	31 10 11	25 1 7	56 12 6	...	...	...	...	
3	Appeals of appellate decrees of which value can be fixed	38	3,840 13 6	531 0 0	353 14 2	886 14 2	14 0 10	9 4 7	23 5 5	13 8 10	8 15 2	22 8 1	106 8 2	...
4	Do do cannot be fixed...	6	...	42 10 0	21 4 6	63 14 6	10 7 0	3 8 9	13 15 9	...	...	...	...	1
5	Miscellaneous	106	...	420 15 0	224 14 9	645 13 9	3 15 6	2 1 11	6 1 5	...	...	...	...	
										...	...	...	...	...
	Total ...	285	1,13,71 8 5 4	7,391 8 0	5,056 8 5	12,448 0 5	25 15 6	17 11 10	43 10 10	6 8 0	4 7 2	10 15 2	403 4 1	3
	Grand Total ... { 1889 ...	1,079	2,03,043 2 5	17,028 5 0	9,598 7 4	27,236 13 4	16 5 5	8 14 4	25 3 9	8 10 11	4 11 8	13 6 7	197 14 7	21
	1888 ...	475	2,74,735 13 10	8,653 12 2	4,261 13 6	12,915 6 8	18 3 6	8 15 7	27 3 1	3 2 5	1 8 10	4 11 3	389 9 0	8

Supplemental Statement showing the Value and Costs of Appeals decided in the Hyderabad Assigned Districts during the year 1889.

Value of appeals.	No. of appeals disposed of.	Aggregate value of appeals.	Aggregate cost of appeals.	Average value of appeals.	Average cost of appeals.	Percentage of costs to value.	Remarks.
1	2	3	4	5	6	7	8
		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Not exceeding Rupees 10 ...	28	200 4 0	136 2 8	7 11 3	4 13 9	68 15 9	2
Do. 50 ...	211	6,394 15 9	1,902 3 7	31 10 6	9 0 3	29 11 11	9
Do. 100 ...	186	13,706 6 9	2,678 9 0	75 5 0	14 6 5	19 8 8	4
Do. 500 ...	336	93,751 11 8	10,803 9 0	283 3 10	32 2 5	11 8 5	5
Do. 1,000 ...	37	25,645 0 5	3,864 7 10	712 5 9	104 7 2	15 1 1	1
Exceeding Rupees 1,000 ...	26	63,344 11 10	4,393 0 10	2,436 5 4	168 14 10	6 14 11	...
Total ...	824	2,03,043 2 5	23,777 0 11	252 13 8	28 13 8	11 11 4	21
Appeals of which value cannot be fixed ...	112	...	2,696 15 6	...	24 1 3	...	...
Miscellaneous appeals ...	143	...	752 11 11	...	5 4 3	...	...
Grand Total ... 1889 ...	1,079	2,03,043 2 5	27,226 12 4	191 14 7	25 3 9	13 6 7	21
Grand Total ... 1888 ...	475	2,74,735 13 10	12,915 8 8	589 9 0	27 3 1	11 3 9	9

Note.—Miscellaneous cases (Judicial) have been omitted from this statement.

JUDICIAL STATEMENT No. IV.—(CIVIL)—*Statement showing the result of proceedings on applications for the execution of decrees in the several Courts of the Hyderabad Assigned Districts during the year* 1889.

Class of Courts.	No. of applications dealt with.					Applications disposed of.					Pending at the end of the year.	No. of applications pending more than three months at the close of this year.	Details of entries in column 9.					Amount realised.		No. of applications.										Remarks.
	Pending at the end of last year.	Filed.				Transferred.		Wholly or partly satisfied.	Wholly infructuous.	Total.			Satisfaction obtained in full.	Satisfaction obtained in part.	Satisfaction obtained through the Court.	Adjusted under Section 258.	Satisfaction obtained with the issue of process.	Satisfaction obtained without the issue of process.	With the issue of process.	Without the issue of process.	On which judgment debtor was imprisoned.	On which he was arrested under Section 336, but released without imprisonment.	On which movable property		On which immovable property		On which possession was given.		On which partition was effected, Section 265.	On which exemption was allowed otherwise than in the preceding columns.	Note the No. of entries in columns 4 and 5 where the decrees have been transferred from or to another district or province.
		The decrees being those of the Court in which execution is taken out.	The decrees being those of other Courts transferred for execution.	Restored to the file for any cause.	Total.	To another Court, under Section 223.	To the Collector, under Section 320.															Was attached, but subsequently released under Section 274.	Was sold.	Was dealt with under Section 280, 283 or 284.	Was attached, but subsequently released under Section 275.	On which specific performance was enforced.	Of immoveable, Section 260.	Of immoveable, Sections 263 and 264.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34
COURTS IN THE INTERIOR.																			Rs. a. p.	Rs. a. p.												
CIVIL COURTS.																																
Field 6th Divisional Tribunals. — Under ordinary procedure	1,338	5,587	1,934	20	9,057	1,171	231	2,331	3,986	7,719	1,6 97	445	1,397	934	1,367	744	3,311	20	60,698 15 2	1,475 15 6	43	76	217	243	469	4	231	9	5	195	19	433	
Under Small Cause Court powers	...	200	...	...	200	...	...	32	102	134	66	14	18	14	16	16	30	2	720 3 9	119 0 0	1	1	1	2	...	...	...	...	...	...	...	12	
Small Cause Courts. — As Small Cause Court Judges	749	5,353	275	2	6,379	...	...	1,756	3,654	5,410	968	285	840	916	505	1,253	1,705	51	16,220 0 9	2,151 1 9	31	60	255	161	...	...	...	...	...	...	...	156	
Under powers of Subordinate Judge	164	511	156	4	835	...	70	216	194	480	355	158	139	99	130	88	211	5	7,821 13 5	201 7 9	...	...	7	5	44	...	42	3	...	26	1	87	
District Courts other than Courts of Districts. — Under ordinary procedure	2,550	5,887	454	14	9,105	690	368	2,353	4,369	7,779	967	210	1,195	1,157	1,816	536	2,281	71	1,07,656 1 10	9,921 1 11	24	18	369	230	558	...	495	4	22	360	11	418	
Under Small Cause Court powers	248	1,499	8	4	1,759	248	...	462	926	1,636	123	2	241	231	269	194	499	2	17,043 0 11	23 12 0	6	10	110	94	...	...	...	...	1	...	...	141	
Chief Court Side of Courts of Districts. — Under ordinary procedure	242	2,458	784	3	3,487	294	152	353	1,463	2,162	1,325	646	219	134	281	92	347	6	36,458 11 3	160 7 9	9	5	36	39	57	...	77	...	...	45	1	93	
Under Small Cause Court powers	...	155	3	...	158	...	...	18	97	115	43	...	12	6	11	7	15	3	475 12 9	384 13 6	...	...	3	3	...	...	...	...	...	...	...	6	
Total ... 1889	5,288	21,980	3,714	47	30,979	2,323	791	7,530	14,791	25,435	5,544	1,708	4,056	3,462	4,592	2,928	7,950	199	2,47,094 11 9	14,807 12 3	113	165	1,139	797	1,128	4	803	16	28	529	31	1,335	Received from other districts 379.
1888	5,288	24,112	2,017	22	31,429	870	747	8,913	15,601	26,131	5,288	1,512	4,460	4,433	5,604	3,909	8,679	285	2,81,980 13 1	16,980 1 8	205	177	1,568	903	1,326	15	1,054	36	21	523	36	1,619	

PROVINCIAL.

JUDICIAL STATEMENT No. V.—(CIVIL)—*Proceedings in Insolvency under Chapter XX of Act XIV of* 1882 *in the Hyderabad Assigned Districts during the year* 1889.

PART I.—SHOWING THE NUMBER AND RESULT OF APPLICATIONS UNDER SECTION 344 AND THE NUMBER OF INSOLVENTS BEFORE THE COURT.

Class of Courts.	Applications for a declaration of insolvency.															Persons declared to be insolvents.									
	Pending at the close of the previous year	No. of applications dealt with.					Applications disposed of.								Pending at the close of the year.	No. of insolvents before the Court.				Disposed of.				Remaining at the close of the year.	Remarks.
		Filed during the year.			Received by transfer.	Total.	Transferred.	Withdrawn or otherwise not prosecuted.	Granted.		Rejected.			Total.		Remaining at the close of the previous year.	Declared to be insolvents during the year.	Received by transfer.	Total.	Transferred.	Died.	Discharged				
		By judgment debtors.		By decree-holders.					A receiver being appointed.	A receiver not being appointed.	Penal proceedings under Section 359 not being taken.	Sentence of imprisonment being passed under Section 359.	Applicant being sent to the Magistrate to be dealt with.								Under Section 351.	Under Section 355.		
		Under arrest or imprisonment.	Not under arrest or imprisonment.																						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Courts other than Chief Courts of Districts specially empowered ...	2	19	1	...	...	22	1	6	...	7	3	...	...	17	5	1	19	...	20	1	...	7	...	3	
Chief Courts of Districts ...	4	8	...	...	2	14	1	3	2	4	3	...	...	13	1	5	10	1	14	1	...	4	2	1	
Superior Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ... {1889 ...	6	27	1	...	2	36	2	9	2	11	6	...	...	30	6	4	29	1	34	2	...	11	2	4	
{1888 ...	7	37	...	...	...	44	...	20	2	5	10	1	...	38	6	5	17	...	22	...	...	19	2	1	

PROVINCIAL.

JUDICIAL STATEMENT No. V.—(CIVIL)—*Proceedings in Insolvency under Chapter XX of Act XIV of* 1882 *in the Hyderabad Assigned Districts during the year* 1889.

PART II.—*Showing the number of Estates in the hands of Receivers and the progress made in winding them up.*

Name of Court.	Number of insolvents' estates in the hands of receivers.				Amount of creditors' claims dealt with during the year.					Amount of insolvents' assets realized and outstanding.				Remarks.
	Pending at the close of the previous year.	Placed in charge of a Receiver during the year.	No. of estates in regard to which proceedings were finally closed during the year.	Pending at the close of the year.	Unsatisfied and pending at the close of the previous year.	Admitted.	Disallowed.	Satisfied.	Unsatisfied and pending at the close of the year.	Amount of realized assets in the hands of receivers at the close of the previous year.	Gross amount realized during the year.	Total amount of disbursements.	Amount remaining in the hands of receivers at the close of the year.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
					RS. A. P.	RS. A. P.	RS.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	
Courts other than Chief Courts of Districts specially empowered	7	...	3	4	37,254 7 9	4,451 3 9	2,869	170 10 5	41,535 1 1	488 15 10	175 10 4	361 9 6	303 1 2	
Chief Courts of Districts ...	6	...	...	6	20,166 14 6	2,189 11 0	...	3 8 0	22,353 1 6	137 12 0	...	3 8 0	134 4 0	
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ... { 1889.	13	...	3	10	57,421 6 3	6,640 14 9	2,869	174 2 5	63,888 2 7	626 11 10	175 10 4	365 1 0	437 5 2	
{ 1888.	10	3	...	13	53,755 13 5	770 0 6	...	319 14 9	54,205 15 2	608 7 10	418 2 0	444 3 6	582 6 4	

JUDICIAL STATEMENT No. VI.—(CIVIL)—*Statement showing the value and costs of Original Suits and Miscellaneous Cases (Judicial) decided in the several Courts of the Hyderabad Assigned Districts during the year* 1889.

No.	Districts.	Total number disposed of and value.		Aggregate costs of suits and miscellaneous cases.			Average cost of suits and miscellaneous cases.			Percentage of costs to value of suits.			Average value of suits.	Remarks.
		Suits.	Value.	Necessary.	Voluntary.	Total.	Necessary.	Voluntary.	Total.	Necessary.	Voluntary.	Total.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	ORIGINAL SUITS OF WHICH VALUE CAN BE FIXED.		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
1	Akola	1,636	4,91,616 8 4	46,120 8 2	22,002 10 9	62,123 2 11	24 8 5	13 7 2	37 15 7	8 2 8	4 7 6	12 10 2	307 7 3	37
2	Buldana	2,568	5,17,713 8 4	30,117 7 7	14,253 8 10	44,370 0 5	10 11 9	5 1 1	15 12 10	9 7 10	4 7 8	13 15 6	115 15 11	69
3	Basim	2,815	1,91,664 14 6	22,724 2 6	6,456 2 0	29,183 4 6	7 15 10	2 4 4	10 4 2	11 13 8	3 5 11	15 3 7	70 6 8	122
4	Amraoti	1,643	3,96,242 13 11	24,333 2 0	12,473 2 1	46,806 4 1	20 14 4	7 9 6	28 7 10	6 10 8	3 3 4	11 13 0	235 2 4	90
5	Ellichpur	2,061	3,35,070 5 11	24,191 2 8	8,639 10 8	32,831 13 4	11 11 10	4 3 0	15 14 10	10 4 8	3 10 9	13 15 5	115 6 8	94
6	Wun	1,754	1,53,390 2 6	17,510 1 0	3,043 15 11	20,559 0 11	10 2 6	1 12 3	11 14 9	11 6 7	1 15 9	13 6 4	90 12 8	34
	Total ...	12,717	17,85,698 3 0	1,69,026 7 5	66,847 2 3	2,35,873 9 8	13 1 8	5 4 1	18 5 9	9 7 5	3 11 11	13 3 4	144 11 2	376
	SUITS OF WHICH VALUE CANNOT BE FIXED.													
1	Akola	98	...	1,231 6 6	474 11 10	1,706 1 10	12 13 3	4 15 1	17 12 4	...	...	...	...	...
2	Buldana	44	...	458 14 3	226 14 6	685 12 5	10 6 10	5 2 6	15 9 4	...	...	...	...	...
3	Basim	30	...	485 15 0	113 2 0	599 1 0	16 3 5	3 12 4	19 15 6	...	...	...	...	...
4	Amraoti	156	...	2,229 8 0	493 13 1	2,723 5 1	14 9 3	3 0 1	17 9 4	...	...	...	...	...
5	Ellichpur	65	...	775 11 0	381 7 0	1,157 2 0	11 14 11	4 0 4	15 15 3	...	...	...	...	...
6	Wun	122	...	2,826 1 8	586 4 5	3,412 6 1	23 2 7	4 12 10	27 15 5	...	...	...	...	...
	Total ...	515	...	8,037 7 11	2,139 4 4	10,185 12 3	15 11 5	4 2 6	19 13 8	...	...	...	...	...
	MISCELLANEOUS CASES.													
1	Akola	577	...	1,972 1 0	1,033 6 7	3,005 7 7	3 6 6	1 12 8	5 3 4	...	...	...	...	...
2	Buldana	310	...	485 0 0	90 6 6	575 6 6	1 9 0	0 4 8	1 13 8	...	...	...	...	...
3	Basim	330	...	541 13 0	103 2 0	644 15 0	1 8 2	0 4 7	1 12 9	...	...	...	...	...
4	Amraoti	670	...	2,107 8 0	793 3 3	2,900 11 3	3 2 4	1 2 11	4 5 3	...	...	...	...	...
5	Ellichpur	332	...	755 3 0	259 1 0	1,014 4 0	2 5 4	0 14 8	3 4 0	...	...	...	...	...
6	Wun	251	...	689 6 0	129 7 6	818 13 6	2 7 5	0 7 4	2 14 7	...	...	...	...	...
	Total ...	2,359	...	6,590 15 0	2,448 10 10	9,039 9 10	2 9 8	0 15 6	3 9 2	...	...	...	...	...
	SMALL CAUSE COURT, ORIGINAL CASES.													
1	Akola	1,987	1,42,675 13 0	16,449 2 4	4,598 2 4	21,047 4 8	8 7 10	2 6 0	10 13 10	11 8 6	3 2 7	14 12 1	74 9 8	24
2	Khamgaon	764	65,879 12 9	8,068 13 0	422 0 0	8,491 13 0	10 7 0	0 8 10	11 1 10	12 4 0	0 2 7	12 6 7	86 12 2	8
3	Amraoti	2,997	2,89,469 7 8	29,125 2 6	1,686 8 0	30,811 10 6	9 11 8	0 5 9	10 1 5	10 0 11	0 6 0	10 6 11	97 2 5	27
4	Telhara	2,117	1,42,273 2 9	15,340 11 0	3,422 12 0	20,779 7 0	7 4 6	1 9 5	9 13 11	10 12 6	2 13 0	13 5 6	67 9 2	19
5	Badnera and Morsi ...	1,111	68,380 6 9	8,081 2 6	1,767 11 0	9,848 13 6	7 4 5	1 9 2	8 13 10	11 13 11	2 9 7	14 7 5	62 9 10	12
6	Buldana	1,234	61,305 9 1	6,244 4 10	2,915 8 8	9,160 13 6	5 1 7	2 6 2	7 7 9	10 2 5	4 11 10	14 14 3	50 11 11	13
7	Basim	61	7,85 10 6	733 3 0	298 11 0	1,031 14 0	12 8 2	4 6 5	16 14 7	9 11 4	3 6 7	13 1 11	128 14 1	...
8	Ellichpur	1,236	79,285 10 7	8,738 14 0	1,647 0 6	10,385 14 6	7 0 2	1 5 2	8 5 4	11 7 4	2 2 .	13 9 11	61 5 5	3
	Total ...	11,457	8,54,332 8 10	92,830 4 4	18,157 6 3	1,10,987 10 7	8 1 7	1 9 4	9 10 11	10 13 10	2 1 11	12 15 8	75 3 8	100
	MISCELLANEOUS CASES.													
1	Telhara	60	...	111 7 0	36 8 0	148 15 0	1 13 9	0 10 3	2 8 0	...	...	...	...	...
2	Akola	99	...	221 3 6	22 2 6	243 5 6	2 4 1	0 3 7	2 7 8	...	...	...	...	...
3	Khamgaon	27	...	101 3 0	6 8 0	108 1 0	3 12 2	0 3 10	4 0 0	...	...	...	...	...
4	Amraoti	131	...	319 5 0	33 9 0	319 14 0	2 7 0	0 3 9	2 10 9	...	...	...	...	...
5	Basim	18	...	8 11 0	1 0 0	9 11 0	0 9 3	0 1 1	0 10 4	...	...	...	...	...
6	Ellichpur	12	...	3 0 0	0 14 0	11 14 0	0 11 10	0 4 0	0 15 10	...	...	...	...	...
7	Badnera and Morsi ...	43	...	103 10 6	11 13 10	114 7 10	2 6 1	0 4 5	2 10 7	...	...	...	...	...
	Total ...	389	...	873 11 0	118 9 6	987 4 6	2 4 3	0 4 8	2 8 11	...	...	...	...	...
	Grand Total ... { 1889...	27,901	28,40,060 11 10	2,77,346 13 8	89,675 1 3	3,67,063 14 10	10 0 1	3 4 0	13 4 9	10 8 1	3 6 4	13 14 5	97 5 3	476
	1888...	31,181	29,92,648 6 9	3,24,868 10 7	1,08,944 3 11	4,33,832 14 6	10 6 6	3 7 11	13 14 7	10 14 3	3 10 5	14 8 8	97 3 2	475

Supplemental Statement showing the value and costs of Original Suits decided in the Hyderabad Assigned Districts during the year 1889.

Value of suits.	No of suits disposed of.	Aggregate value of suits.	Aggregate cost of suits.	Average value of suits.	Average cost of suits.	Percentage of costs to value.	Remarks.
1	2	3	4	5	6	7	8
		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Not exceeding Rupees 10 ...	1,740	12,407 3 2	4,685 15 10	7 4 8	2 11 1	37 12 3	38
Do. „ 50 ...	11,357	3,25,585 0 10	60,001 12 6	29 1 10	5 4 6	18 6 10	175
Do. „ 100 ...	5,107	3,64,630 5 4	53,394 10 0	72 10 5	10 7 3	14 10 4	88
Do. „ 500 ...	5,236	10,86,263 2 8	1,33,304 6 4	213 3 11	25 7 4	12 4 4	142
Do. „ 1,000 ...	486	3,23,694 14 5	37,707 14 3	690 2 11	77 9 5	11 10 4	17
Do. „ 5,000 ...	241	4,31,218 9 1	48,734 6 1	1,916 8 5	202 3 6	11 4 10	16
Do. „ 10,000 ...	5	32,085 2 7	3,157 10 3	6,417 0 6	631 8 5	9 13 5	...
Exceeding „ 10,000 ...	2	64,206 5 9	5,844 9 0	32,103 2 10	2,922 4 6	9 1 8	...
Suits of which value cannot be fixed ...	512	...	10,165 12 3	..	19 3 8	...	...
Total ... 1889 ...	24,686	26,40,090 11 10	3,56,997 0 6	109 0 9	14 7 5	13 9 1	476
Total ... 1888 ...	27,767	29,82,648 6 9	4,20,499 9 4	109 4 7	15 2 4	14 1 7	475

NOTE.—Miscellaneous cases (Judicial) have been omitted from this statement.

PROVINCIAL.

JUDICIAL STATEMENT No. VII.—(CIVIL)—*Statement showing litigation regarding survey numbers in the Hyderabad Assigned Districts during the year* 1889.

Number.	Districts.	Suits relating to Survey Nos. included in column 20, Judicial Statement No. VII.					Suits to declare or establish right in Survey Nos. included in column 23, Judicial Statement No. VII.
		Suits to recover possession under Sections 6 and 9 of the Specific Relief Act.	Other suits between parties claiming as proprietors.	Other suits between the proprietors of survey Nos. and sub-tenants.	Suits not included in the foregoing columns.	Total No. of suits.	
1	2	3	4	5	6	7	8
1	Akola ...	8	73	11	150	242	...
2	Buldana ...	32	19	123	92	266	8
3	Basim ...	6	...	82	41	129	12
4	Amraoti ...	17	324	17	36	394	263
5	Ellichpur ...	3	14	11	120	148	23
6	Wun ...	18	5	...	90	113	77
	Total ... 1889...	84	435	244	529	1,292	378
	Total ... 1888...	62	321	230	336	949	363

N. B.—The word proprietor in this statement to be understood as including co-occupants and co-sharers as well as khatedars.

JUDICIAL STATEMENT No. VII.-A.—(CIVIL)—*Statement showing litigation regarding Watandari suits in the Hyderabad Assigned Districts during the year* 1889.

Description of Watans.	Watandari suits included in columns 21 and 24 of Judicial Statement No. VII						
	Akola.	Buldana.	Basim.	Amraoti.	Ellichpur.	Wun.	Total.
1	2	3	4	5	6	7	8
Deshmukhs ...	1	1	1	2	...	...	5
Deshpandias ...	1	...	...	1	...	...	2
Patels ...	...	1	2	8	...	1	12
Patwaris ...	...	1	...	...	...	...	1
Joshis ...	5	2	...	1	...	1	9
Mullas and Kazis ...	...	...	...	2	...	...	2
Mahars ...	3	6	1	3	2	...	15
Other watandari suits not included above..	6	1	...	1	...	...	8
Total ... 1889...	16	12	4	18	2	2	54
Total ... 1888...	9	16	11	17	1	5	59

PROVINCIAL.

JUDICIAL STATEMENT No. VIII,—(CIVIL)—*Statement showing the disposal of land or other immoveable property under Sections 321 and 323 of the Code of Civil Procedure in the Hyderabad Assigned Districts for the year* 1889.

Number.	Districts.	Number of instances in which land paying revenue to Government was attached.	Number of instances in which immoveable property was dealt with under Section 321 of the Code of Civil Procedure.	Number of instances in which the Deputy Commissioner as Collector took steps under Section 323 of the Code of Civil Procedure.					No. of instances in which the sales of land recommended.		No. of instances in which the sales actually took place.		Period for which the temporary alienation was made.				
				A.	B.	C.	D.	E.	Self-acquired.	Ancestral.	Self-acquired	Ancestral.	For 1 year and under.	For 3 years and under.	For 5 years and under.	For 10 years and under.	Above 10 and not exceeding 20 years
1	2	3	4	5					6	7	8	9	10	11	12	13	14
1	Akola ...	498	...	...	...	71	54	150	26	45	26	45	3	16	12	20	3
2	Buldana ...	79	58	...	...	12	6	...	6	19	2	10	...	1	1	2	2
3	Basim ...	57	16	...	...	...	3	...	5	2	...	...	...	...	...	2	1
4	Amraoti ...	157	109	16	1	20	16	50	14	14	12	8	1	8	1	5	1
5	Ellichpur ...	321	175	...	...	34	41	93	10	20	7	27	4	9	9	10	9
6	Wun ...	48	28	...	...	13	15	...	5	6	6	7	..	6	2	4	3
Total..	1889	1,160	386	16	1	150	135	299	66	106	53	97	8	40	25	43	19
	1888	1,192	375	...	..	129	205	242	138	130	46	89	11	34	45	68	47

JUDICIAL STATEMENT No. IX.—(CIVIL)—*Statement showing the number of Civil Debtors imprisoned and released in the several Courts of the Hyderabad Assigned Districts during the year* 1889.

No.	Districts	Remained from last year.	Imprisoned during the year.	Total.	Released during the year.	Remaining at the close of the year.	Remarks.
1	2	3	4	5	6	7	8
1	Akola	4	20	24	24	...	
2	Buldana	4	8	12	11	1	
3	Basim	2	7	9	8	1	
4	Amraoti	1	33	34	33	1	
5	Ellichpur	3	16	19	19	...	
	Total ...	14	84	98	95	3	
	Sub-Judges exercising Small Cause Court powers, Amraoti.	...	3	3	3	...	
	Total ...	...	3	3	3	...	
	Small Cause Courts.						
1	Badnera	...	3	3	3	...	
2	Akola	...	8	8	7	1	
3	Khamgaon	2	5	7	7	...	
4	Amraoti	3	14	17	17	...	
	Total ...	5	30	35	34	1	
	Grand Total ... 1889 ...	19	117	136	132	4	
	Grand Total ... 1888 ...	21	215	236	217	19	

JUDICIAL STATEMENT No. X.—(CIVIL)—*Statement showing the amounts realized under different heads of the Court Fees Act in the several Courts of the Hyderabad Assigned Districts during the year* 1889.

No.	Districts.	Amount realized on account of Court Fees. In labels. Civil.	Criminal.	Revenue.	Total.	Amount realized on account of Process Fees. In labels. Civil.	Criminal.	Revenue.	Total.	Grand total of columns 6 and 10.	Total cost of Process Service Establishment.
1	2	3	4	5	6	7	8	9	10	11	12
		Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.	Rs. a. p.
1	Akola	42,849 15 0	3,019 10 0	...	45,869 9 0	9,867 9 0	2,871 12 0	...	12,871 15 0	58,741 8 0	10,864 8 8
2	Buldana	30,006 10 0	1,898 2 0	...	31,904 12 0	7,864 6 0	1,609 14 0	...	9,474 4 0	41,379 0 0	7,972 13 1
3	Basim	20,551 0 0	1,265 5 0	...	21,816 5 0	7,086 8 0	1,084 3 0	...	8,170 11 0	29,987 0 0	7,151 15 4
4	Amraoti	37,869 6 0	3,239 15 0	...	41,109 5 0	9,564 9 0	2,976 6 0	...	12,540 15 0	53,650 4 0	11,891 11 2
5	Ellichpur	28,475 8 0	1,013 2 0	...	29,488 10 0	8,278 15 0	679 4 0	...	8,958 3 0	38,446 13 0	8,013 2 9
6	Wun	20,001 0 0	669 7 0	...	20,670 7 0	6,581 8 0	633 8 0	...	7,215 0 0	27,885 7 0	5,723 14 0
	Total ...	1,79,753 7 0	11,105 9 0	...	1,90,859 0 0	49,243 7 0	7,854 15 0	...	59,231 0 0	2,50,090 0 0	51,618 1 1
	Small Cause Courts.										
1	Akola	13,372 11 0	...	...	13,372 11 0	4,171 2 0	...	...	4,171 2 0	17,543 13 0	3,166 15 10
2	Khamgaon	5,582 3 0	...	...	5,582 3 0	1,849 9 0	...	...	1,849 9 0	7,431 12 0	2,256 0 0
3	Amraoti	24,146 6 0	...	...	24,146 6 0	7,423 4 0	...	...	7,423 4 0	31,569 10 0	4,003 9 7
	Total ...	43,101 4 0	...	...	43,101 4 0	13,443 15 0	...	...	13,443 15 0	56,545 3 0	9,426 9 5
	Sub-Judges holding Small Cause Court powers.										
1	Telhara	13,774 9 0	...	...	13,774 9 0	3,202 10 0	...	..	3,202 10 0	16,977 3 0	...
2	Buldana	4,859 5 0	...	...	4,859 5 0	1,022 7 0	...	...	1,022 7 0	5,881 12 0	...
3	Basim	1,067 15 0	...	...	1,067 15 0	127 12 0	...	..	127 12 0	1,195 11 0	...
4	Ellichpur	7,361 6 0	...	...	7,361 6 0	1,576 13 0	...	...	1,576 13 0	8,938 3 0	...
5	Amraoti	9,115 8 0	...	...	9,115 8 0	2,422 0 0	...	...	2,422 0 0	11,537 8 0	...
	Total ...	36,178 11 0	...	..	36,178 11 0	8,351 10 0	...	...	8,351 10 0	44,530 5 0	...
1	Civil and Sessions Judge's Court...	1,898 12 0	25 12 0	...	1,924 8 0	259 11 0	...	...	259 11 0	2,184 3 0	...
2	Judicial Commissioner's Court...	11,171 4 0	100 10 0	...	11,271 14 0	208 8 0	...	...	208 8 0	11,480 6 0	...
	Total ...	13,070 0 0	126 6 0	...	13,196 6 0	468 3 0	...	...	468 3 0	13,664 9 0	...
	Grand Total ... {1889...	2,72,103 6 0	11,231 15 0	...	2,83,335 5 0	71,507 3 0	9,854 15 0	..	81,494 12 0	3,64,830 1 0	61,044 10 6
	{1888...	2,73,556 14 0	10,879 13 0	...	2,84,436 11 0	75,585 15 0	10,818 1 0	...	86,404 0 0	3,70,839 11 0	59,268 8 1

PROVINCIAL.

JUDICIAL STATEMENT No. XI.—(CIVIL)—*Statement of processes issued and the amount realized and expended in the several Courts of the Hyderabad Assigned Districts in the year* 1889.

Number	Districts.	No. of processes issued.	Amount realized on account of processes.	Establishment. Nazirs, &c.	Process servers.	Contingencies.	Total.	Balance.	Average No. of processes served by each process server.	Average distance travelled by each process server.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12
			Rs.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.			
1	Akola	40,877	12,871 15 0	4,682 12 3	5,981 12 5	...	10,664 8 8	2,207 6 4	734·4	2616	
2	Buldana	29,036	9,474 4 0	3,147 15 3	4,024 13 10	...	7,072 13 1	1,501 0 11	3254	1259·2	
3	Basim	29,354	8,170 11 0	2,992 11 7	4,180 8 2	...	7,151 15 4	1,018 11 8	709	2295	
4	Amraoti	33,327	12,540 15 0	4,796 2 1	7,063 9 2	72 0 0	11,891 11 3	649 3 9	574·1	2627 2	
5	Ellichpur ..	20,990	5,926 3 0	2,044 5 8	3,068 13 1	...	5,013 3 9	913 0 3	619	1598·4	
6	Wun	20,929	7,215 0 0	2,444 2 4	3,479 11 8	...	5,723 14 0	1,491 2 0	387·6	2579·6	
	Total ...	1,76,463	59,231 0 0	21,108 1 2	30,457 15 11	72 0 0	51,019 1 1	7,612 14 11	619	2,392	
	Sub-Judge having Small Cause Court powers. Telhara	3,892	3,902 10 0	...	...	...	...	3,902 10 0	.	...	
	Buldana.	4,062	1,022 7 0	...	...	...	...	1,022 7 0	...	...	
	Basim.	407	127 12 0	...	...	...	...	127 12 0	...	...	
	Amraoti.	6,287	2,422 0 0	...	...	...	...	2,422 0 0	...	...	
	Ellichpur.	5,210	1,576 12 0	...	...	...	...	1,570 12 0	...	...	
	Total ...	24,953	9,351 10 0	...	...	...	...	9,351 10 0	...	...	
	Akola ..	12,906	4,171 2 0	1,238 5 9	1,938 10 1	...	3,169 15 10	1,004 2 2	603	2,540	
	Khamgaon	7,306	1,749 9 0	1,060 0 0	1,176 0 0	...	2,236 0 0	400 7 0	889	1,470	
	Amraoti ..	19,527	7,423 4 0	1,821 7 5	2,162 2 2	...	4,003 9 7	3,419 10 5	950	3,140	
	Total ..	39,209	13,443 15 0	4,289 13 2	5,186 12 3	...	9,426 9 5	4,017 5 7	726	2,394	
	Civil and Sessions Judge's Court ..	...	259 11 0	...	...	...	...	259 11 0			
	Judicial Commissioner's Court .	...	309 8 0	...	...	...	...	309 8 0	...	...	
	Total ...	...	568 3 0	...	...	...	...	568 3 0	...	...	
	Grand Total ... {1889	2,50,630	81,491 12 0	25,547 14 4	35,644 12 2	72 0 0	61,044 10 6	20,480 1 6	634	2,393	
	{1888	2,27,054	86,404 0 0	24,351 10 6	34,854 13 7	72 0 0	59,258 8 1	27,145 7 11	608·7	2374·8	

JUDICIAL STATEMENT No. XII.—(CIVIL)—*Statement showing the average detention of Witnesses in the several Courts of the Hyderabad Assigned Districts during the year* 1889.

Number	Court.	No. of Witnesses who attended.	Period of detention. For 1 day.	For 2 days.	For 3 days.	For 4 days.	For 5 days.	For 6 days.	For 7 days.	For 8 days.	For 9 days.	For 10 days.	Up to one month.	Total.	Number of witnesses examined.	Number of witnesses allowed to go unexamined.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
1	Akola	1,472	3,528	410	174	49	6	5	...	...	...	...	...	4,172	2,400	1,772	
2	Buldana	4,415	4,200	163	52	...	...	...	...	...	...	...	...	4,415	1,756	2,659	
3	Basim	3,458	3,411	47	...	...	...	...	...	...	...	...	...	3,458	2,794	664	
4	Amraoti	4,013	3,619	330	60	4	...	...	...	...	...	...	...	4,013	2,533	1,480	
5	Ellichpur	4,262	3,862	307	90	3	...	...	...	...	...	...	...	4,262	1,656	2,606	
6	Wun	1,898	1,832	36	30	...	...	...	...	...	...	...	...	1,898	1,660	238	
	Total ...	22,218	20,452	1,293	406	56	6	5	...	...	...	...	...	22,218	12,559	9,659	
	Small Cause Courts.																
1	Akola	3,106	2,368	523	141	53	10	11	...	...	...	...	...	3,106	1,171	1,935	
2	Khamgaon	2,126	2,054	64	5	3	...	...	...	...	...	...	...	2,126	658	1,468	
3	Amraoti	2,327	2,302	25	...	...	...	...	...	...	...	...	...	2,327	1,434	893	
	Total ...	7,559	6,724	612	146	56	10	11	...	...	...	...	...	7,559	3,263	4,296	
	Sub-Judges exercising Small Cause Court powers.																
1	Telhara	2,719	2,719	...	...	...	...	...	...	...	...	...	...	2,719	1,381	1,338	
2	Buldana	1,542	1,542	...	...	...	...	...	...	...	...	...	...	1,542	496	1,046	
3	Basim	107	107	...	...	...	...	...	...	...	...	...	...	107	33	74	
4	Amraoti	1,422	1,411	9	2	...	...	...	...	...	...	...	...	1,422	862	560	
5	Ellichpur	2,284	2,100	184	...	...	...	...	...	...	...	...	...	2,284	664	1,620	
	Total ...	8,074	7,879	193	...	...	...	...	...	...	...	...	...	8,074	3,436	4,638	
	Grand Total {1889.	37,851	35,055	2,098	554	112	16	16	...	...	...	...	...	37,851	19,258	18,293	
	{1888	43,265	40,066	2,283	522	228	113	43	5	...	...	...	...	43,265	22,467	20,798	

Extract from the Proceedings of the Resident at Hyderabad, No. 1867-M, dated Hyderabad Residency, 14th June 1890.

Read—

The Annual Report on Civil Justice in the Hyderabad Assigned Districts for the year 1889.

ORDER.

This report is not quite up to date, owing partly to sickness, and partly to delay in obtaining correct returns from the Deputy Commissioners of Basim and Buldana—Captain Morris and Colonel Szczepanski. The Resident regrets that, in spite of the warning conveyed last year, these officers should have been found wanting in the performance of this important duty.

2. *Changes in the system of Courts.*—The year 1889 is marked by the introduction of the scheme for reorganising the judicial agency under the Hyderabad Assigned Districts Courts Law, which came into force on the 1st July 1889. The principal changes effected by this law may be summarised as follows:—

(*a*) The Judicial Commissioner, sitting almost the whole year at Amraoti, the head-quarters of the province, has taken the place of the Resident at Hyderabad as the High Court for Berar.

(*b*) The Courts of Deputy Commissioners are still under the law the "District Courts," or "Principal Civil Courts of original jurisdiction in the districts." But the law also provides for the appointment of Civil Judges, invested with the powers of Deputy Commissioners; and these appointments have now been so made as to largely relieve all Deputy Commissioners of ordinary civil judicial work, both original and appellate. One of the appointments represents an addition to the staff of the province, and the officer holding it is styled the Civil and Sessions Judge. He has been invested with the powers of the Court of a Deputy Commissioner throughout the province, and is subject to the control of, and subordinate to, the Court of the Judicial Commissioner only. The other Civil Judges are Assistant or (occasionally) Extra Assistant Commissioners, and are subject to the control of, and subordinate to, the Courts of Deputy Commissioners. One such Civil Judge has been appointed in each district.

(*c*) Under the new law appeals in cases in which the value of the suit does not exceed Rs. 500 lie to the court of the Deputy Commissioner or of the Civil Judge specially invested with his powers. Appeals in cases in which the value exceeds Rs. 500 lie direct to the Judicial Commissioner, who also hears second appeals from subordinate appellate courts.

3. *Fluctuation in litigation and its causes.*—The Resident observes that the only way in which we can hope to arrive at the cause of a fluctuation in litigation such as is observable in the year under report is by ascertaining in the first place in what particular classes of suits it has taken place. He agrees with the remark made by Colonel Mackenzie in this connection that the element of personal character in the presiding judge has a great deal to do with the rise and fall of work, and he has witnessed more than one controversy as to whether a rise or a fall is to be regarded as evidence in favour of or against the judge. The point is one which it is generally most difficult to settle, inasmuch as there are both good and bad qualities in a judge which tend to increase litigation in this country, and both good and bad qualities which tend to reduce it. Theoretically speaking, under a good judge honest cases ought to increase and dishonest cases to diminish, and under a bad judge it ought to be the reverse; but this is not always so in practice; and, even if it were, there would be the difficulty of ascertaining in which class of cases chiefly a given increase or diminution had taken place.

Paragraph 6 of the Judicial Commissioner's report.

But of course, when we find an officer, like Colonel Rennick, whose idiosyncracies lead him to start with the idea that all civil courts are "gambling booths," and as such to be discouraged, we can readily understand, at least to some extent, why litigation falls off in his district.

Paragraphs 7—9 of the report.

4. *Classification of suits according to their subject-matter.*—The Resident is very reluctant to suggest any addition to a report of this kind: indeed his efforts for some years past have been directed towards abridging such reports; but he cannot abstain from expressing his regret that the section of the report relating to classification of suits should be so very meagre. The knowledge of the country and the people acquired by a judicial officer in the discharge of his duties is, no doubt, in a certain sense one-sided, but it extends to most departments of life, and is in many respects more minute and accurate than that obtained by executive officers. The general run of his work is of a hum-drum sort, but the cases that come before him from time to time open up views of the life of the people, of their social, agricultural and business relations, and of the changes taking place among them, which are well worth recording. It would, for example, be desirable to know something of the origin and nature of the suits referred to in the returns now before us, as "suits for enforcement of matrimonial rights," "suits for partition," and "watandari suits," of the relations between agricultural debtors and their creditors, of any peculiar forms of contract in vogue, of the development of any tendency to bring particular species of actions as, *e.g.*, actions for libel, or other sorts of personal wrong, and so on. The Resident would be glad if the Judicial Commissioner would call upon Deputy Commissioners to give in their next annual reports as minute a description as they can of the nature of the suits which are instituted under each of the headings shown in the returns, adding, when necessary, such explanations or observations on the matters out of which such suits arise as may occur to them. This would form a body of standing information, which would not be reproduced in subsequent reports for some years to come, but would be merely supplemented by such additional information as the observation of individual officers might bring forth, and by the statement of any changes which might be found to take place.

Several errors, it may be added, have been found and corrected in the classification statements which appear as tables E, G and K in the report. It is not understood why the percentage of costs to value is shown in rupees annas and pies in table K.

Paragraph 15 of the report.

5. *Disposal of suits by arbitration.*—The statement made by the Judicial Commissioner that arbitration, *i.e.*, arbitration before the Court, shows no sign of coming into favour, might be made with equal truth of every part of India to which Sir Dennis Fitzpatrick's experience extends. He suspects that this may be, to a great extent, due to the fact that, when the parties are prepared to submit to arbitration or mediation, they do so out of Court, and then the settlement in Court takes the form of a compromise or confession. If they cannot come to a settlement in this way out of Court, the feeling between them usually runs very high, and they are not likely to be satisfied with anything short of a fight to the bitter end.

Paragraph 17 of the report.

6. *Investing with powers.*—The Resident has under consideration certain notifications, which, it is hoped, will remedy the inconvenience caused by delay in investing officers with judicial powers.

Paragraph 18 of the report.

7. *Average duration.*—The high average duration of suits in Wun should have been explained. Possibly it is due in part to the peculiar system of receiving plaints adopted by Colonel Rennick and referred to in paragraph 6 of the report.

Paragraph 22 of the report

8. *Small Cause Court powers.*—Sir Dennis Fitzpatrick cannot regard with unmixed approval the large increase in the number of cases disposed of by ordinary judicial officers

invested with Small Cause Court powers. This method of disposing of civil business no doubt saves time; but he fears these powers, which in his opinion ought to be restricted to officers specially to be relied on for knowledge of the country, carefulness, and conscientiousness, have been somewhat indiscriminately conferred.

9. *Execution of decrees*.—The Resident cannot understand column 9 and the note on the margin of the statement marked Table P. I.; and the Judicial Commissioner is requested to explain their meaning.

Paragraph 24 of the report.

10. *Inefficiency of subordinate judicial officers*.—Speaking from the experience he has had in disposing of the arrear of civil appeals from Berar left him by his predecessor, Sir Dennis Fitzpatrick fears he cannot give a more favourable account of some of the Courts there than has been given by the Judicial Commissioner in his 36th paragraph. In so far as the defects observed are indirectly traceable to frequent transfers of officers, it will be the Resident's duty to apply a remedy; but he fears that these defects are for the most part due to a want of energy and intelligence on the part of the judicial officers. A great deal of the "muddying of the waters" in the Courts of first instance, complained of by the Judicial Commissioner, the Resident has found to arise from officers not understanding that to try a case properly they must thoroughly examine the parties at the first hearing, and bring out then and there the real points at issue between them in minute detail. If the pleaders are allowed to fence with one another, bringing out only what they think expedient, or if the judge is content to draw vague and wide issues, the result is that, while a mass of evidence is adduced, much of which is altogether irrelevant, the materials for a decision upon what ultimately turn out to be the true issues are not obtained. A quarter of an hour devoted to a case at the first hearing will commonly be found to save hours later on, and prevent the frequent remands which now take place on appeal.

Paragraph 36 of the report.

11. *Inspection of cases by Deputy Commissioners*.—The Resident much regrets to see that there has again this year been a falling-off in the highly important matter of inspection of cases. The numbers of cases called up in the three years 1887, 1888 and 1889 were 1,648, 1,444 and 1,196 respectively. There has been an improvement in Akola in the last year, the number of cases called up having risen from 4 to 77, but the work done by the Deputy Commissioner under this head still falls very far short of what it ought to be. In Basim the number of cases has fallen in the last year from 512 to 380, and in Wun from 300 to 157. The Resident trusts that the Judicial Commissioner will insist on Deputy Commissioners attending to this branch of their work, which is calculated more than any other to give them an insight into the manner in which judicial business is done, and to correct the irregularities of the lower courts.

Paragraph 40 of the report.

12. *Pleaders and their control by the Courts*.—The Resident is glad to find that the Judicial Commissioner gives so favourable an account of the local pleaders. A well-trained and honest bar is, if properly controlled, of immense assistance to the Courts; but the proper control of the bar is a duty calling for much patience, judgment and tact, especially in our mofussil Courts, where the judge is expected to take a more active part in the litigation than he would in England or in the Presidency towns, and is, or ought to be, held responsible that the essential facts of a case are fully investigated, even though neither side may exert itself to bring them out, and that irrelevant matter shall, though not objected to, be excluded. Sir D. Fitzpatrick trusts that judicial officers in Berar will come to understand, which it would seem from the Judicial Commissioner's remarks some of them do not at present, that it is quite compatible with the fullest discharge of these important duties to accord a patient hearing to every pleader, and to give him credit for knowing what he is about and working fairly and honestly for his client, at least until it becomes clear that he is, as Colonel Mackenzie puts it, merely playing to the gallery or wasting time.

Paragraphs 41 and 42 of the report.

13. *Notice of officers.*—The Resident desires specially to acknowledge Mr. Obbard's services, not only as Civil and Sessions Judge, but also in connection with the administrative matters referred to by the Judicial Commissioner. He further desires that his thanks may be conveyed to Mr. Shrikrishna Narhar and the other officers whose work has been commended by the Judicial Commissioner; and he would wish to see in August a special report on the quality of the work done during the first half of the year 1890 by Mr. Keshao Rao Jaykrishna, whose work during the year under report has been unfavourably mentioned in the Judicial Commissioner's report.

Paragraphs 44— 47 of the report.

To the Judicial Commissioner himself the Resident's special acknowledgments are due. Sir D. Fitzpatrick has seen a good deal of Colonel Mackenzie's judicial work in disposing of the appeals standing over from before the change of organisation, and he has been always much struck by the great knowledge of the country, sympathy with the people, devotion to his duty, and skill and intelligence in the performance of it displayed by that officer. Colonel Mackenzie's administrative work has been more than usually important during the year under report, owing to the extensive changes introduced in the system of judicial administration; and it has been discharged in a manner eminently satisfactory. It is matter for congratulation that, notwithstanding the temptations held out to him elsewhere, Colonel Mackenzie still remains Judicial Commissioner of the Hyderabad Assigned Districts.

(By order.)

J. A. CRAWFORD,

Secretary for Berar.